

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF COLORADO; et al.,

*Plaintiffs,*

v.

No. 1:25-cv-\_\_\_\_\_

U.S. DEPARTMENT OF HEALTH AND  
HUMAN SERVICES, et al.,

*Defendants.*

**DECLARATION OF EILEEN M. SULLIVAN**

I, Eileen M. Sullivan, declare under the penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct:

1. I am a resident of the Commonwealth of Massachusetts. I am over the age of 18.
2. If called as a witness, I could and would testify competently to the matters set forth below.
3. I am currently employed by the Massachusetts Department of Public Health (the “Department”) as its Chief Operating Officer.
4. I have been employed by the Department since June 27, 1999, and have held my current position since July 1, 2015.
5. As the Chief Operating Officer for the Department, I have personal knowledge of the matters set forth below or have knowledge of the matters based on my review of information and records provided to me by the Department and its employees and believe that information to be true.

6. I am the Department's Authorizing Official with respect to the federal grants awarded to the Department.

7. The Department is statutorily mandated to take cognizance of the interests of life, health, comfort and convenience among the citizens of the Commonwealth and to conduct investigations as to the causes of disease, and especially of epidemics. Mass. G.L. c. 111, § 5. The Department is statutorily mandated to determine which diseases shall be deemed to be dangerous to the public health, Mass. G.L. c. 111, § 6, and to investigate dangerous infectious diseases and their spread in the Commonwealth. Mass. G.L. c. 111, § 7.

8. The Department is statutorily mandated to establish comprehensive programs for the prevention and treatment of drug and alcohol dependency and provide technical assistance and consultation services for these purposes. Mass. G.L. c. 111B, § 4; Mass. G.L. c. 111E, § 5.

#### **U.S. Centers for Disease Control and Prevention Grants**

9. On or about March 25, 2025, the Department received four Notices of Award that purported to immediately terminate four grants or portions of grants that had been previously awarded to the Department by the U.S. Centers for Disease Control and Prevention (“CDC”) (“Termination Notices”).

10. Specifically, the terminations affected grants entitled: Community Health Workers for COVID Response & Resilient Communities (“CHW CCR Grant”); National Initiative to Address COVID-19 Health Disparities Among Populations at High-Risk and Underserved, Including Racial and Ethnic Minority Populations and Rural Communities (“Health Disparities Grant”); Building and Enhancing Epidemiology, Laboratory and Health Information Systems Capacity in Massachusetts (“ELC Grant”); and Immunization and Vaccines for Children (“Immunization Grant”) (the “CDC Affected Grants”).

11. The Termination Notices forbade any expenditures after March 24, 2025—the day before the Department became aware of the termination. The Department had no prior notice of such termination.

12. Prior to the Termination Notices, CDC had never provided the Department with notice, written or otherwise, that the CDC Affected Grants were in any way unsatisfactory.

13. The Termination Notices purported to terminate the CDC Affected Grants “for cause” and asserted that the cause is the end of the COVID-19 pandemic. While the language varied slightly between the four Termination Notices received by the Department, the language contained in the Notice relating to the ELC Grant is exemplary:

#### TERMS AND CONDITIONS OF AWARD

Termination: The purpose of this amendment is to terminate the use of any remaining COVID-19 funding associated with this award. The termination of this funding is for cause. HHS regulations permit termination if ‘the non-Federal entity fails to comply with the terms and conditions of the award’, or separately, ‘for cause.’ The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of use of funding under the listed document number(s) is effective as of the date set out in your Notice of Award.

14. The CDC Affected Grants fund various activities performed or purchased by the Department, including but not limited to: the costs of full-time employees; procurement and operation of the Department’s State Public Health Laboratory’s Laboratory Information Management System; various laboratory equipment; rural immunization support; in-home vaccination services; near-real time hospital bed capacity data feed to CDC’s National Healthcare Safety Network; various data modernization activities that enable timely data collection and sharing across public health, laboratory, and healthcare data systems to support general disease response and to enhance pandemic response capacities as well as other work that

makes public health data and analysis publicly and rapidly available in various data dashboards ; improving the system for vital records, including birth and death records; maintenance of the Department's strategic stockpile of emergency response assets and personal protective equipment; and, contracting with a variety of external entities for a multitude of purposes such as municipal health departments to support staffing for activities such as rapid disease detection and linkage to treatment, community health centers to support the delivery of care, non-profit organizations that support unhoused people, and wastewater monitoring vendors to allow early detection of and timely response to increasing disease risk.

15. The Department, in reliance on the CDC Affected Grants, has employed 87 staff. Seventy-two of these employees are members of various unions, whose terms of employment are covered by the following collective bargaining agreements entered into with the Commonwealth: Unit 1 (National Association of Government Employees-Administrative Personnel); Unit 6 (National Association of Government Employees-Professionals); Unit 7 (Massachusetts Nurses Association-Health Care Professionals); and Unit 9 (Massachusetts Organization of State Engineers and Scientists) ("Affected CBAs").

16. These employees perform critical functions within the Department including but not limited to: epidemiologic follow-up, including case investigation and response with local boards of health; public health nursing; surveillance of infectious disease, including the processing of laboratory reports of infectious disease from testing providers and the development of dashboards providing information to the public; laboratory testing specimens, including sequencing of pathogens; laboratory safety health and training, including BioSafety Response; laboratory operations, including accessioning of specimens; development of specifications for the Laboratory Information Management System (LIMS) and the Massachusetts Virtual

Epidemiologic Network (MAVEN); and work with tribal authorities to ensure proper follow up for cases of infectious disease.

17. The Department, in further reliance on the CDC Affected Grants, has procured services and equipment and entered into contracts funded by the CDC Affected Grants.

18. The value of the CDC Affected Grants is approximately \$933,357,573.00.

19. The balance of the funds affected by the Termination Notices is \$105,183,611.02.

**Community Health Workers for COVID Response & Resilient Communities (CHW CCR Grant)**

20. The solicitation for the CHW CCR Grant was issued May 24, 2021, and made funds available to achieve the goal of the CARES Act in preventing COVID-19 and protecting the American people from related public health impacts through training and deployment of community health workers (“CHWs”) to response efforts and by building and strengthening community resilience. See attached at Exhibit A.

21. The Department was awarded \$9,000,000.00 via the CHW CCR Grant. Of that total, \$6,954,440.39 has been spent, and \$2,045,559.61 is remaining.

22. The CHW CCR Grant funding that is purported to be terminated would support, for example: 2.7 full-time equivalents (“FTEs”) at approximately \$600,000 and \$1.2 million to community health centers and local boards of health. Remaining costs include technical assistance and infrastructure development for community health centers and local boards of health focused on integration of community health workers into infrastructure to build resiliency and future response efforts.

23. The CHW CCR Grant originally included a performance period of August 31, 2021 to August 30, 2024. CDC extended the period to August 30, 2025.

24. On or about March 25, 2025, the Department received a Notice of Award for the CHW CCR Grant, which provided a notice of termination. See attached at Exhibit B.

**National Initiative to Address COVID-19 Health Disparities Among Populations at High-Risk and Underserved, Including Racial and Ethnic Minority Populations and Rural Communities (Health Disparities Grant)**

25. The solicitation for the Health Disparities Grant was issued May 3, 2021, which provided funding for strategies to improve testing capabilities and other COVID-19 response activities in populations that are at high-risk and underserved, including racial and ethnic minority groups and people living in rural communities. See attached at Exhibit C.

26. The Department was awarded \$18,573,439.00 via the Health Disparities Grant. Of that total, \$18,303,239.68 has been spent, and \$270,199.32 is remaining.

27. The Health Disparities Grant had originally included a performance period of June 1, 2021 to May 31, 2023. CDC extended the period to May 31, 2025.

28. On or about March 25, 2025, the Department received a Notice of Award for the Health Disparities Grant, which provided a notice of termination. See attached at Exhibit D.

**Building and Enhancing Epidemiology, Laboratory and Health Information Systems Capacity in Massachusetts (ELC Grant)**

29. The solicitation for the ELC Grant, issued in 2019, provided in part:

The goal of the Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC) program is to reduce illness and related deaths caused by a wide range of infectious disease threats. The ELC Program provides annual funding, strategic direction and technical assistance to domestic jurisdictions for core capacities in epidemiology, laboratory, and health information technology activities. In addition to strengthening core infectious disease capacities nationwide, this cooperative agreement also supports a myriad of specific infectious disease programs.

30. The solicitation specifically noted, “increased responsibilities at the state and local level for emerging infectious disease control, notably for emergency responses to Ebola and Zika, and for expanded investment to curb antibiotic resistant (AR) infections and modernize

public health laboratory capacity. Ebola and Zika funding began as one-time emergency funding, while AR funding is expected to reoccur annually, and base vector-borne disease funding is beginning to grow. Together with food- and water-borne disease program growth, these investments have moved from capacity building to program delivery. In other infectious disease areas, capacity building is still the focus of investments.” See attached at Exhibit E.

31. The Termination Notice pertaining to the ELC Grant identified four specific document numbers that were purportedly subject to termination. These document numbers related to four supplements to the original 2019 ELC Grant (“ELC Supplements”).

32. The Department award for the ELC Supplements is \$775,953,985.00. Of that total, \$692,032,955.11 has been spent, and \$83,921,029.89 is remaining.

33. The ELC Supplements funding which is purported to be terminated would support, for example, \$9.5 million for maintenance of the Department’s preparedness and emergency response assets stockpile, \$6.6 million to support the Department’s virtual epidemiologic network, \$1.8 million for epidemiologic and laboratory support, \$4.8 million in laboratory equipment and supplies, \$5.6 million for data modernization initiatives necessary for disease tracking and reporting, \$4.4 million for local board of health infrastructure, and \$4.4 million for wastewater testing.

34. The ELC Supplements originally included a performance period of April 23, 2020 to April 23, 2022. CDC extended the period to July 31, 2026.

35. On or about March 25, 2025, the Department received a Notice of Award for the ELC Grant, which provided a notice of termination. See attached at Exhibit F.

### **Immunization and Vaccines for Children (Immunization Grant)**

36. The solicitation for the Immunization Grant was issued in 2019. In 2020, CDC amended the 2019 Immunization Grant solicitation to include information relating to COVID-19. CDC described the amendment as informational only and stated that CDC was not accepting new award applications. CDC further stated that the purpose of the amendment was to include language regarding COVID-19 response and future [vaccine preventable disease] VPD public health threats. This amended solicitation provided in part, “This opportunity supports public health systems to ensure high vaccination coverage, low incidence of vaccine preventable diseases (VPD), and the ability to respond to VPD threats. The Vaccines for Children (VFC) program allows increased access to vaccines for eligible children by supplying government-purchased vaccines to enrolled health care providers. Section 317 of the Public Health Service Act authorizes awards to States, political subdivision of States, and to other public entities to help meet the costs of prevention health services. Priorities for Section 317 immunization programs are to preserve public health immunization infrastructure; maintain adequate vaccine supply as a safety net for uninsured adults, and other urgent vaccine needs; and to respond to VPD outbreaks. Also, to rapidly identify and investigate current and future VPD cases/outbreaks, including COVID-19 or other emerging public health emergencies, conduct surveillance and laboratory testing, implement vaccination and other measures to control the spread of VPD and prevent future outbreaks. Award recipients are responsible for VFC and Section 317 vaccine program implementation.

37. Project activities include provider and public education, vaccine distribution and inventory management, supporting immunization outreach, Immunization Information System (IIS) maintenance and enhancement, and VPD surveillance. Recipients must be positioned to

transition into the changing health care environment and make use of quality improvement to reduce or eliminate vaccination coverage disparities and protect vulnerable populations.” See attached at Exhibit G.

38. The Termination Notice pertaining to the Immunization Grant identified four specific document numbers that were purportedly subject to termination. These document numbers related to two supplements to the original 2019 Immunization Grant as amended (“Immunization Supplements”).

39. The awarded amount for the Immunization Supplements is \$129,830,149.00. Of that total, \$110,883,326.80 has been spent, and \$18,946,822.20 is remaining.

40. The Immunization Supplements funding which is purported to be terminated would support, for example, community based vaccination services such as mobile vaccination services in municipalities disproportionately impacted by COVID-19, including major urban centers in Massachusetts such as Boston, Fall River, New Bedford, Springfield, and Worcester; in-home vaccination services for COVID-19 and influenza that enable individuals who are unable to leave their homes to access vaccination, including but not limited to older adults, persons living with disabilities, and parents/guardians of children with disabilities; immunization operational support related to vaccine management and maintenance and use of the Massachusetts Immunization Management System; rural immunization support that includes vaccination services for residents in rural areas; and efforts to address health related social needs, including transportation, access to care, housing, food security and economic supports.

41. The Immunization Supplements originally included a performance period of June 5, 2020 to July 5, 2021. CDC extended the period to June 30, 2025.

42. On or about March 25, 2025, the Department received a Notice of Award for the Immunization Grant, which provided a notice of termination. See attached at Exhibit H.

43. On or about March 27, 2025, the Comptroller of the Commonwealth attempted to process its weekly draw down of funds for the CDC Affected Grants, all of which were obligated by the Department prior to the termination notices. The Comptroller's attempt was not successful.

44. Immediate termination of the CDC Affected Grants without providing the funding the Department has relied on to pay its contracted vendors and its own employees would cause irreparable harm to the Department, the programs funded by the CDC Affected Grants, the contracted vendors and the employees performing the vital functions funded by the CDC Affected Grants.

### **SAMHSA Substance Abuse Block Grants**

45. On or about May 17, 2021, the federal Substance Abuse and Mental Health Services Administration (“SAMHSA”) awarded the Department \$32,254,331 (FAIN B08TI083946) (“SABG(1”)), and on or about August 10, 2021, SAMHSA awarded the Department \$1,120,601 (FAIN B08TI084586) (“SABG(2”)). Attached as Exhibits I and J are true copies of the Notices of Award issued to the Single State Authority for Massachusetts on behalf of the Department by SAMHSA. For both awards, SAMHSA required the expenditure of funds on or before September 30, 2025.

46. These awards were made pursuant to Subparts II & III,B, Title XIX, PHS Act/45 CFR Part 96 and Public Law 117-2, the American Rescue Plan Act of 2021 (ARPA), for the purpose of supporting states to address the effects of the COVID-19 pandemic for Americans with substance use disorders.

47. The Department, in reliance on SABG(1), has procured services and equipment and entered into contracts for purposes including: substance use prevention, outpatient, mobile, and in-home addiction treatment and supports, youth intervention services, recovery support services, and 24-hour treatment services for adults.<sup>1</sup>

48. As of March 24, 2025, \$28,707,291 of the funds have been expended from SABG(1), leaving a balance of \$3,547,040.

### **Termination Notices of SABG(1) and SABG(2)**

49. On or about March 24, 2025, the Department received a notification via electronic mail that SABG(2) was being terminated “for cause” due to the end of the pandemic which “provides cause to terminate COVID-related grants.”

50. On or about March 27, 2025, the Department was contacted by a reporter for a media outlet with the following inquiry:

I see on the DOGE savings website that two grants to the MA DPH from the federal Department of Health and Human Services were canceled on Sunday....I'm attaching screenshots of all the information that the Department of Government Efficiency offered. One was worth \$32,254,331, another was worth \$1,120,601.

51. The Department had not received any notice of termination prior to this date for SABG(1).

52. The Department contacted a Grant Management Specialist at SAMHSA, who indicated that multiple termination notices for SABG(1) had been sent via electronic mail on March 24, 2025.

---

<sup>1</sup> The Department has not expended any funds from SABG(2).

53. On or about March 27, 2025, following an inquiry from the Department, the Grant Management Specialist sent PDFs of the purported termination notices dated March 24, 2025. These PDFs contained an incorrect Department email address.

54. On or about March 28, 2025, at approximately 12:50pm, two additional notices were delivered from SAMHSA via email. These indicate an appeal process and state that the grants were terminated for cause.

55. On March 29, 2025, the Department received revised Notices of Award (“March 29 NOA”) via electronic mail, reflecting the purported terminations. The March 29 NOA purported to terminate SABG(1) “for cause” and asserted both that the Department “failed to comply with the agreements or other conditions required for the receipt of a grant under the program involved...” and that the cause is the end of the COVID-19 pandemic:

The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of this award is effective as of 11:59PM EDT, March 24, 2025.

56. The March 29 NOA further provided a multi-step process for obtaining payment for funds to which the Department is entitled to under the SABG(1), none of which existed prior to the March 29 NOA as well as an opportunity for a hearing.

57. Prior to this purported termination, SAMHSA had never provided the Department with notice, written or otherwise, that the performance of SABG(1) was in any way unsatisfactory.

58. The termination of the SABG(1) without any advance notice, more than six months prior to the planned completion on September 30, 2025, jeopardizes the health and well-being of individuals and families who have been receiving care and services funded by

SABG(1). The continuation of funding through the original end date for the grant is needed to ensure an orderly completion of current services and transition to alternative services as may be appropriate.

59. Immediate termination of the SABG(1) without providing the funding the Department has relied on to pay its contracted vendors would cause irreparable harm to the Department.

I declare under penalty of perjury under the laws of the United States that, to the best of my knowledge, the foregoing is true and correct.

Executed on April 1, 2025, at Boston, Massachusetts.



---

Eileen M. Sullivan

# EXHIBIT A



## DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

## Notice of Award

Award# 1 NU58DP007017-01-00

FAIN# NU58DP007017

Federal Award Date: 08/23/2021

## Recipient Information

## 1. Recipient Name

Massachusetts Department of Public Health  
250 Washington St  
Comm. Health and Prevention  
Boston, MA 02108-4603  
[NO DATA]

## 2. Congressional District of Recipient

08

## 3. Payment System Identifier (ID)

1046002284B7

## 4. Employer Identification Number (EIN)

046002284

## 5. Data Universal Numbering System (DUNS)

878298900

## 6. Recipient's Unique Entity Identifier

## 7. Project Director or Principal Investigator

Erica Marshall  
erica\_marshall@MassMail.State.MA.US  
617-624-5401

## 8. Authorized Official

Ms. Eileen M Sullivan  
Chief Operating Officer  
eileen.m.sullivan@mass.gov  
617-624-5257

## Federal Agency Information

CDC Office of Financial Resources

## 9. Awarding Agency Contact Information

Mrs. Rhonda Latimer  
Grants Management Officer  
ITO1@cdc.gov  
7704881647

## 10. Program Official Contact Information

Dr. Monique Young  
Public Health Advisor/Project Officer  
Division of Cancer Prevention and Control  
hza4@cdc.gov  
770-488-3434

## 30. Remarks

## Federal Award Information

## 11. Award Number

1 NU58DP007017-01-00

## 12. Unique Federal Award Identification Number (FAIN)

NU58DP007017

## 13. Statutory Authority

Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") Public Law 116-136 Public Health Service Act 42 U.S.C. 301(a)

## 14. Federal Award Project Title

CHWs for COVID Response &amp; Resilient Communities

## 15. Assistance Listing Number

93.495

## 16. Assistance Listing Program Title

Community Health Workers for Public Health Response and Resilient

## 17. Award Action Type

New

## 18. Is the Award R&amp;D?

No

## Summary Federal Award Financial Information

## 19. Budget Period Start Date 08/31/2021 - End Date 08/30/2022

## 20. Total Amount of Federal Funds Obligated by this Action

\$3,000,000.00

20a. Direct Cost Amount

\$2,970,468.00

20b. Indirect Cost Amount

\$29,532.00

## 21. Authorized Carryover

\$0.00

## 22. Offset

\$0.00

## 23. Total Amount of Federal Funds Obligated this budget period

\$0.00

## 24. Total Approved Cost Sharing or Matching, where applicable

\$0.00

## 25. Total Federal and Non-Federal Approved this Budget Period

\$3,000,000.00

## 26. Project Period Start Date 08/31/2021 - End Date 08/30/2024

## 27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Project Period

Not Available

## 28. Authorized Treatment of Program Income

ADDITIONAL COSTS

## 29. Grants Management Officer - Signature

Ms. Stephanie Latham

Team Lead, Grants Management Officer



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Centers for Disease Control and Prevention

Notice of Award

Award# 1 NU58DP007017-01-00

FAIN# NU58DP007017

Federal Award Date: 08/23/2021

**Recipient Information**

**Recipient Name**

Massachusetts Department of Public Health  
250 Washington St  
Comm. Health and Prevention  
Boston, MA 02108-4603  
[NO DATA]

**Congressional District of Recipient**

08

**Payment Account Number and Type**

1046002284B7

**Employer Identification Number (EIN) Data**

046002284

**Universal Numbering System (DUNS)**

878298900

**Recipient's Unique Entity Identifier**

Not Available

**31. Assistance Type**

Project Grant

**32. Type of Award**

Other

**33. Approved Budget**

(Excludes Direct Assistance)

I. Financial Assistance from the Federal Awarding Agency Only	
II. Total project costs including grant funds and all other financial participation	
a. Salaries and Wages	\$231,441.00
b. Fringe Benefits	\$88,688.00
c. Total Personnel Costs	\$320,129.00
d. Equipment	\$0.00
e. Supplies	\$899.00
f. Travel	\$1,072.00
g. Construction	\$0.00
h. Other	\$4,368.00
i. Contractual	\$2,644,000.00
j. TOTAL DIRECT COSTS	\$2,970,468.00
k. INDIRECT COSTS	\$29,532.00
l. TOTAL APPROVED BUDGET	\$3,000,000.00
m. Federal Share	\$3,000,000.00
n. Non-Federal Share	\$0.00

**34. Accounting Classification Codes**

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
1-9390H3H	21NU58DP007017C3	DP	41.51	\$3,000,000.00	75-2024-0943

## **AWARD ATTACHMENTS**

Massachusetts Department of Public Health

1 NU58DP007017-01-00

---

1. T&C for MA

## **AWARD INFORMATION**

**Incorporation:** In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at <https://www.cdc.gov/grants/federalregulationspolicies/index.html>, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number DP21-2109, entitled “Community Health Workers for COVID Response and Resilient Communities (CCR)”, and application dated May 18, 2021, as may be amended, which are hereby made a part of this Non-research award, hereinafter referred to as the Notice of Award (NoA).

**Approved Funding:** Funding in the amount of \$3,000,000 is approved for the Year 1 budget period, which is August 31, 2021 through August 30, 2022. All future year funding will be based on satisfactory programmatic progress and the availability of funds.

The federal award amount is subject to adjustment based on total allowable costs incurred and/or the value of any third-party in-kind contribution when applicable.

Note: Refer to the Payment Information section for Payment Management System (PMS) subaccount information.

**Component/Project Funding:** The NOFO provides for the funding of multiple components under this award. The approved component funding levels for this notice of award are:

<b>NOFO Component</b>	<b>Amount</b>
Component A	\$0
Component B	\$3,000,000
Component C	\$0

**Coronavirus Disease 2019 (COVID-19) Funds:** A recipient of a grant or cooperative agreement awarded by the Department of Health and Human Services (HHS) with funds made available under the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (P.L. 116-123); the Coronavirus Aid, Relief, and Economic Security Act, 2020 (the “CARES Act”) (P.L. 116-136); the Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139); the Consolidated Appropriations Act and the Coronavirus Response and Relief Supplement Appropriations Act, 2021 (P.L. 116-260) and/or the American Rescue Plan of 2021 [P.L. 117-2] agrees, as applicable to the award, to: 1) comply with existing and/or future directives and guidance from the Secretary regarding control of the spread of COVID-19; 2) in consultation and coordination with HHS, provide, commensurate with the condition of the individual, COVID-19 patient care regardless of the individual’s home jurisdiction and/or appropriate public health measures (e.g., social distancing, home isolation); and 3) assist the United States Government in the implementation and enforcement of federal orders related to quarantine and isolation.

In addition, to the extent applicable, Recipient will comply with Section 18115 of the CARES Act, with respect to the reporting to the HHS Secretary of results of tests intended to detect SARS-CoV-2 or to diagnose a possible case of COVID-19. Such reporting shall be in accordance with guidance and direction from HHS and/or CDC. HHS laboratory reporting guidance is posted at: <https://www.hhs.gov/sites/default/files/covid-19-laboratory-data-reporting-guidance.pdf>.

Further, consistent with the full scope of applicable grant regulations (45 C.F.R. 75.322), the purpose of this award, and the underlying funding, the recipient is expected to provide to CDC copies of and/or access to COVID-19 data collected with these funds, including but not limited to data related to COVID-19 testing. CDC will specify in further guidance and directives what is encompassed by this requirement.

This award is contingent upon agreement by the recipient to comply with existing and future guidance from the HHS Secretary regarding control of the spread of COVID-19. In addition, recipient is expected to flow down these terms to any subaward, to the extent applicable to activities set out in such subaward.

**Financial Assistance Mechanism:** Grant

**Budget Revision Requirement:** By September 30, 2021 the recipient must submit a revised budget with a narrative justification based on the approved funding of \$3,000,000 in accordance with the [CDC Budget Preparation Guidelines](#). Please be sure to include the following:

1. Name of Contractor
2. Method of Selection
3. Period of Performance
4. Scope of Work
5. Method of Accountability
6. Itemized Budget and Justification

Failure to submit the required information in a timely manner may adversely affect the future funding of this project. If the information cannot be provided by the due date, you are required to contact the GMS/GMO identified in the CDC Staff Contacts section of this notice before the due date.

**Expanded Authority:** The recipient is permitted the following expanded authority in the administration of the award.

- Carryover of unobligated balances from one budget period to a subsequent budget period. Unobligated funds may be used for purposes within the scope of the project as originally approved. Recipients will report use, or intended use, of unobligated funds in Section 12 "Remarks" of the annual Federal Financial Report. If the GMO determines that some or all of the unobligated funds are not necessary to complete the project, the GMO may restrict the recipient's authority to automatically carry over unobligated balances in the future, use the balance to reduce or offset CDC funding for a subsequent budget period, or use a combination of these actions.

**FUNDING RESTRICTIONS AND LIMITATIONS**

**Indirect Costs:** Indirect costs are approved based on the negotiated indirect cost rate agreement dated November 4, 2020, which calculates indirect costs as follows, a Predetermined is approved at a rate of 12.76% of the base, which includes, Direct salaries and wages including vacation, holiday, sick pay, and other paid absences but excluding all other fringe benefits.. The effective dates of this indirect cost rate are from July 1, 2020 to June 30, 2022.

## REPORTING REQUIREMENTS

**Required Disclosures for Federal Awardee Performance and Integrity Information System (FAPIIS):** Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the CDC, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the CDC and to the HHS OIG at the following addresses:

CDC, Office of Grants Services  
Rhonda Latimer, Grants Management Officer/Specialist  
Centers for Disease Control and Prevention  
Branch 5  
2939 Flowers Road  
Atlanta GA 30341  
Email: [RDLatimer@cdc.gov](mailto:RDLatimer@cdc.gov) (Include "Mandatory Grant Disclosures" in subject line)

AND

U.S. Department of Health and Human Services  
Office of the Inspector General  
ATTN: Mandatory Grant Disclosures, Intake Coordinator  
330 Independence Avenue, SW  
Cohen Building, Room 5527  
Washington, DC 20201

Fax: (202)-205-0604 (Include "Mandatory Grant Disclosures" in subject line) or  
Email: [MandatoryGranteeDisclosures@oig.hhs.gov](mailto:MandatoryGranteeDisclosures@oig.hhs.gov)

Recipients must include this mandatory disclosure requirement in all subawards and contracts under this award.

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371. Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180 and 376, and 31 U.S.C. 3321).

CDC is required to report any termination of a federal award prior to the end of the period of performance due to material failure to comply with the terms and conditions of this award in the OMB-designated integrity and performance system accessible through SAM (currently FAPIIS). (45 CFR 75.372(b)) CDC must also notify the recipient if the federal award is terminated for

failure to comply with the federal statutes, regulations, or terms and conditions of the federal award. (45 CFR 75.373(b))

#### **PAYMENT INFORMATION**

**Payment Management System Subaccount:** Funds awarded in support of approved activities have been obligated in a subaccount in the PMS, herein identified as the “P Account”. Funds must be used in support of approved activities in the NOFO and the approved application.

The grant document number identified on the bottom of Page 1 of the Notice of Award must be known to draw down funds.

#### **CDC Staff Contacts**

**Grants Management Specialist:** The GMS is the federal staff member responsible for the day-to-day management of grants and cooperative agreements. The GMS is the primary contact of recipients for business and administrative matters pertinent to grant awards.

**GMS Contact:**

Rhonda Latimer, Grants Management Specialist  
Centers for Disease Control and Prevention  
Branch 5  
2939 Flowers Road  
Atlanta GA 30341  
Telephone: 770-488-1647  
Email: [RDLatimer@cdc.gov](mailto:RDLatimer@cdc.gov)

**Program/Project Officer:** The PO is the federal official responsible for monitoring the programmatic, scientific, and/or technical aspects of grants and cooperative agreements, as well as contributing to the effort of the award under cooperative agreements.

**Programmatic Contact:**

Monique Young, Project Officer  
Centers for Disease Control and Prevention  
National Center for Disease Prevention and Health  
Telephone: 770-488-3434  
Email: [HZA4@cdc.gov](mailto:HZA4@cdc.gov)

**Grants Management Officer:** The GMO is the federal official responsible for the business and other non-programmatic aspects of grant awards. The GMO is the only official authorized to obligate federal funds and is responsible for signing the NoA, including revisions to the NoA that change the terms and conditions. The GMO serves as the counterpart to the business officer of the recipient organization.

**GMO Contact:**

Stephanie Latham, Grants Management Officer  
Centers for Disease Control and Prevention  
Branch 5  
Telephone: 770-488-2197  
Email: [FZV6@cdc.gov](mailto:FZV6@cdc.gov)

## EXHIBIT B



## DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

## Notice of Award

Award# 6 NU58DP007017-03-05

FAIN# NU58DP007017

Federal Award Date: 03/24/2025

## Recipient Information

## 1. Recipient Name

PUBLIC HEALTH, MASSACHUSETTS  
DEPARTMENT OF  
250 WASHINGTON ST  
Comm. Health and Prevention  
BOSTON, MA 02108-4603  
[NO DATA]

2. Congressional District of Recipient  
083. Payment System Identifier (ID)  
1046002284B74. Employer Identification Number (EIN)  
0460022845. Data Universal Numbering System (DUNS)  
8782989006. Recipient's Unique Entity Identifier (UEI)  
DLKMR1QVDX34

## 7. Project Director or Principal Investigator

Erica Marshall  
erica\_marshall@MassMail.State.MA.US  
617-624-5401

## 8. Authorized Official

Ms. Eileen M Sullivan  
Chief Operating Officer  
eileen.m.sullivan@mass.gov  
617-624-5257

## Federal Agency Information

CDC Office of Financial Resources

## 9. Awarding Agency Contact Information

Natasha Jones  
Grants Management Officer  
mhz2@cdc.gov  
770-488-1649

## 10. Program Official Contact Information

Ms. Perrin Hicks  
Program Officer  
swy2@cdc.gov  
7704880826

## 30. Remarks

Department Authority

## Federal Award Information

## 11. Award Number

6 NU58DP007017-03-05

## 12. Unique Federal Award Identification Number (FAIN)

NU58DP007017

## 13. Statutory Authority

Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") Public Law 116-136 Public Health Service Act 42 U.S.C. 301(a)

## 14. Federal Award Project Title

CHWs for COVID Response &amp; Resilient Communities

## 15. Assistance Listing Number

93.495

## 16. Assistance Listing Program Title

Community Health Workers for Public Health Response and Resilient

## 17. Award Action Type

Terminate

## 18. Is the Award R&amp;D?

No

## Summary Federal Award Financial Information

## 19. Budget Period Start Date 08/31/2023 - End Date 03/24/2025

## 20. Total Amount of Federal Funds Obligated by this Action \$0.00

20a. Direct Cost Amount \$0.00

20b. Indirect Cost Amount \$0.00

## 21. Authorized Carryover \$0.00

## 22. Offset \$0.00

## 23. Total Amount of Federal Funds Obligated this budget period \$3,000,000.00

## 24. Total Approved Cost Sharing or Matching, where applicable \$0.00

## 25. Total Federal and Non-Federal Approved this Budget Period \$3,000,000.00

## 26. Period of Performance Start Date 08/31/2021 - End Date 03/24/2025

## 27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance \$9,000,000.00

## 28. Authorized Treatment of Program Income

ADDITIONAL COSTS

## 29. Grants Management Officer - Signature

Ms. Tajsha LaShore



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Centers for Disease Control and Prevention

Notice of Award

Award# 6 NU58DP007017-03-05

FAIN# NU58DP007017

Federal Award Date: 03/24/2025

**Recipient Information**

**Recipient Name**

PUBLIC HEALTH, MASSACHUSETTS  
DEPARTMENT OF  
250 WASHINGTON ST  
Comm. Health and Prevention  
BOSTON, MA 02108-4603

[NO DATA]  
**Congressional District of Recipient**

08

**Payment Account Number and Type**

1046002284B7

**Employer Identification Number (EIN) Data**

046002284

**Universal Numbering System (DUNS)**

878298900

**Recipient's Unique Entity Identifier (UEI)**

DLKMR1QVDX34

**31. Assistance Type**

Project Grant

**32. Type of Award**

Other

**33. Approved Budget**

(Excludes Direct Assistance)

I. Financial Assistance from the Federal Awarding Agency Only	
II. Total project costs including grant funds and all other financial participation	
a. Salaries and Wages	\$272,712.00
b. Fringe Benefits	\$123,566.00
c. Total Personnel Costs	\$396,278.00
d. Equipment	\$0.00
e. Supplies	\$499.00
f. Travel	\$3,919.00
g. Construction	\$0.00
h. Other	\$5,349.00
i. Contractual	\$2,566,138.00
j. TOTAL DIRECT COSTS	\$2,972,183.00
k. INDIRECT COSTS	\$27,817.00
l. TOTAL APPROVED BUDGET	\$3,000,000.00
m. Federal Share	\$3,000,000.00
n. Non-Federal Share	\$0.00

**34. Accounting Classification Codes**

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	ASSISTANCE LISTING	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
1-9390H3H	21NU58DP007017C3	DP	41.51	93.495	\$0.00	75-2024-0943
2-9390H3H	21NU58DP007017C3	DP	41.51	93.495	\$0.00	75-2024-0943
3-9390H3H	21NU58DP007017C3	DP	41.51	93.495	\$0.00	75-2024-0943

## **AWARD ATTACHMENTS**

PUBLIC HEALTH, MASSACHUSETTS DEPARTMENT OF

6 NU58DP007017-03-05

---

### 1. Terms and Conditions

## **TERMS AND CONDITIONS OF AWARD**

**Termination:** The purpose of this amendment is to terminate this award which is funded by COVID-19 supplemental appropriations. The termination of this award is for cause. HHS regulations permit termination if “the non-Federal entity fails to comply with the terms and conditions of the award”, or separately, “for cause.” The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of this award is effective as of the date set out in your Notice of Award.

No additional activities can be conducted, and no additional costs may be incurred. Unobligated award balances will be de-obligated by CDC.

**Closeout:** In order to facilitate an orderly closeout, we are requesting that you submit all closeout reports identified below within thirty (30) days of the date of this NoA. Submit the documentation as a “Grant Closeout” amendment in GrantSolutions. The reporting timeframe is the full period of performance. Please note, if you fail to submit timely and accurate reports, CDC may also pursue other enforcement actions per 45 CFR Part 75.371.

**Final Performance/Progress Report:** This report should include the information specified in the Notice of Funding Opportunity (NOFO). At a minimum, the report will include the following:

- Statement of progress made toward the achievement of originally stated aims.
- Description of results (positive or negative) considered significant.
- List of publications resulting from the project, with plans, if any, for further publication.

**Final Federal Financial Report (FFR, SF-425):** The FFR should only include those funds authorized and expended during the timeframe covered by the report. The final report must indicate the exact balance of unobligated funds and may not reflect any unliquidated obligations. Should the amount not match with the final expenditures reported to the Payment Management System (PMS), you will be required to update your reports to PMS accordingly.

**Equipment and Supplies - Tangible Personal Property Report (SF-428):** A completed SF-428 detailing all major equipment acquired with a unit acquisition cost of \$10,000 or more. If no equipment was acquired under the award, a negative report is required

## EXHIBIT C



## DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

## Notice of Award

Award# 1 NH75OT000030-01-00

FAIN# NH75OT000030

Federal Award Date: 05/26/2021

## Recipient Information

## 1. Recipient Name

Massachusetts Department of Public Health  
250 Washington St  
Boston, MA 02108-4603  
[NO DATA]

## 2. Congressional District of Recipient

08

## 3. Payment System Identifier (ID)

1046002284B7

## 4. Employer Identification Number (EIN)

046002284

## 5. Data Universal Numbering System (DUNS)

878298900

## 6. Recipient's Unique Entity Identifier

## 7. Project Director or Principal Investigator

Sabrina Selk  
Sabrina.Selk@mass.gov  
617-624-5081

## 8. Authorized Official

Ms. Eileen M Sullivan  
Chief Operating Officer  
eileen.m.sullivan@mass.gov  
617-624-5257

## Federal Agency Information

CDC Office of Financial Resources

## 9. Awarding Agency Contact Information

Mr. John McGee  
Grants Management Specialist  
qsj4@cdc.gov  
404-498-4348

## 10. Program Official Contact Information

Ms. Christine Graaf  
khx2@cdc.gov  
404-498-0442

## 30. Remarks

## Federal Award Information

## 11. Award Number

1 NH75OT000030-01-00

## 12. Unique Federal Award Identification Number (FAIN)

NH75OT000030

## 13. Statutory Authority

317(K)(2) OF PHSA 42USC 247B(K)(2)

## 14. Federal Award Project Title

MA DPH Disparities 2021-2023

## 15. Assistance Listing Number

93.391

## 16. Assistance Listing Program Title

Activities to Support State, Tribal, Local and Territorial (STLT) Health Department Response to Public Health or Healthcare Crises

## 17. Award Action Type

New

## 18. Is the Award R&amp;D?

No

## Summary Federal Award Financial Information

## 19. Budget Period Start Date 06/01/2021 - End Date 05/31/2023

## 20. Total Amount of Federal Funds Obligated by this Action

\$18,573,439.00

20a. Direct Cost Amount

\$18,345,001.00

20b. Indirect Cost Amount

\$228,438.00

## 21. Authorized Carryover

\$0.00

## 22. Offset

\$0.00

## 23. Total Amount of Federal Funds Obligated this budget period

\$0.00

## 24. Total Approved Cost Sharing or Matching, where applicable

\$0.00

## 25. Total Federal and Non-Federal Approved this Budget Period

\$18,573,439.00

## 26. Project Period Start Date 06/01/2021 - End Date 05/31/2023

## 27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Project Period

Not Available

## 28. Authorized Treatment of Program Income

ADDITIONAL COSTS

## 29. Grants Management Officer - Signature

Ms. Shirley K Byrd

Grants Management Officer



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Centers for Disease Control and Prevention

Notice of Award

Award# [1 NH75OT000030-01-00](#)

FAIN# [NH75OT000030](#)

Federal Award Date: [05/26/2021](#)

**Recipient Information**

**Recipient Name**

Massachusetts Department of Public Health  
250 Washington St  
Boston, MA 02108-4603  
[NO DATA]

**Congressional District of Recipient**

08

**Payment Account Number and Type**

1046002284B7

**Employer Identification Number (EIN) Data**

046002284

**Universal Numbering System (DUNS)**

878298900

**Recipient's Unique Entity Identifier**

Not Available

**31. Assistance Type**

Project Grant

**32. Type of Award**

Other

**33. Approved Budget  
(Excludes Direct Assistance)**

I. Financial Assistance from the Federal Awarding Agency Only	
II. Total project costs including grant funds and all other financial participation	
a. Salaries and Wages	\$1,790,268.00
b. Fringe Benefits	\$686,030.00
c. Total Personnel Costs	\$2,476,298.00
d. Equipment	\$0.00
e. Supplies	\$22,937.00
f. Travel	\$8,134.00
g. Construction	\$0.00
h. Other	\$59,502.00
i. Contractual	\$15,778,130.00
j. TOTAL DIRECT COSTS	\$18,345,001.00
k. INDIRECT COSTS	\$228,438.00
l. TOTAL APPROVED BUDGET	\$18,573,439.00
m. Federal Share	\$18,573,439.00
n. Non-Federal Share	\$0.00

**34. Accounting Classification Codes**

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
1-9390H06	21NH75OT000030C5	OT	41.51	\$18,573,439.00	75-2122-0140



# DEPARTMENT OF HEALTH AND HUMAN SERVICES Notice of Award

Centers for Disease Control and Prevention

Award# 1 NH75OT000030-01-00

FAIN# NH75OT000030

Federal Award Date: 05/26/2021

## Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$ 0.00	\$ 0.00	\$ 0.00
Fringe Benefits	\$ 0.00	\$ 0.00	\$ 0.00
Travel	\$ 0.00	\$ 0.00	\$ 0.00
Equipment	\$ 0.00	\$ 0.00	\$ 0.00
Supplies	\$ 0.00	\$ 0.00	\$ 0.00
Contractual	\$ 0.00	\$ 0.00	\$ 0.00
Construction	\$ 0.00	\$ 0.00	\$ 0.00
Other	\$ 0.00	\$ 0.00	\$ 0.00
Total	\$ 0.00	\$ 0.00	\$ 0.00

## **AWARD ATTACHMENTS**

Massachusetts Department of Public Health

1 NH75OT000030-01-00

---

1. OT21-2103 Terms and Conditions

**Recipient:** Massachusetts Department of Public Health

## AWARD INFORMATION

**Incorporation:** In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at <https://www.cdc.gov/grants/federalregulationspolicies/index.html>, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number CDC-RFA-OT21-2103, entitled National Initiative to Address COVID-19 Health Disparities Among Populations at High-Risk and Underserved, Including Racial and Ethnic Minority Populations and Rural Communities, and application dated April 30, 2021, as may be amended, which are hereby made a part of this Non-research award, hereinafter referred to as the Notice of Award (NoA).

**Approved Funding:** Funding in the amount of \$18,573,439 is approved for a two year performance and budget period, which is June 1, 2021 through May 31, 2023. All future funding will be based on satisfactory programmatic progress and the availability of funds.

The federal award amount is subject to adjustment based on total allowable costs incurred and/or the value of any third party in-kind contribution when applicable.

Note: Refer to the Payment Information section for Payment Management System (PMS) subaccount information.

**Component/Project Funding:** The NOFO provides for the funding of multiple components under this award. The approved component funding levels for this notice of award are:

NOFO Component	Amount
Base funding	\$17,877,686
State Rural Carveout	\$695,753

**Coronavirus Disease 2019 (COVID-19) Funds:** A recipient of a grant or cooperative agreement awarded by the Department of Health and Human Services (HHS) with funds made available under the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (P.L. 116-123); the Coronavirus Aid, Relief, and Economic Security Act, 2020 (the "CARES Act") (P.L. 116-136); the Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139); the Consolidated Appropriations Act and the Coronavirus Response and Relief Supplement Appropriations Act, 2021 (P.L. 116-260) and/or the American Rescue Plan of 2021 [P.L. 117-2] agrees, as applicable to the award, to: 1) comply with existing and/or future directives and guidance from the Secretary regarding control of the spread of COVID-19; 2) in consultation and coordination with HHS, provide, commensurate with the condition of the individual, COVID-19 patient care regardless of the individual's home jurisdiction and/or appropriate public health measures (e.g., social distancing, home isolation); and 3) assist the United States Government in the implementation and enforcement of federal orders related to quarantine and isolation.

In addition, to the extent applicable, Recipient will comply with Section 18115 of the CARES Act, with respect to the reporting to the HHS Secretary of results of tests intended to detect SARS-CoV-2 or to diagnose a possible case of COVID-19. Such reporting shall be in accordance with guidance and direction from HHS and/or CDC. HHS laboratory reporting guidance is posted at: <https://www.hhs.gov/sites/default/files/covid-19-laboratory-data-reporting-guidance.pdf>.

Further, consistent with the full scope of applicable grant regulations (45 C.F.R. 75.322), the purpose of this award, and the underlying funding, the recipient is expected to provide to CDC copies of and/or access to COVID-19 data collected with these funds, including but not limited to data related to COVID-19 testing. CDC will specify in further guidance and directives what is encompassed by this requirement.

This award is contingent upon agreement by the recipient to comply with existing and future guidance from the HHS Secretary regarding control of the spread of COVID-19. In addition, recipient is expected to flow down these terms to any subaward, to the extent applicable to activities set out in such subaward.

#### **Financial Assistance Mechanism:** Grant

**Pre-Award Costs:** Pre-award costs dating back to March 15, 2021 – and directly related to the COVID-19 outbreak response are allowable.

#### **FUNDING RESTRICTIONS AND LIMITATIONS**

##### **Indirect Costs:**

Indirect costs are approved based on the negotiated indirect cost rate agreement dated November 4, 2020, which calculates indirect costs as follows, a Predetermined rate is approved at a rate of 12.76% of the base, which includes, salaries and wages. The effective dates of this indirect cost rate are from July 1, 2020 to June 30, 2022.

#### **REPORTING REQUIREMENTS**

**Required Disclosures for Federal Awardee Performance and Integrity Information System (FAPIIS):** Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the CDC, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the CDC and to the HHS OIG at the following addresses:

CDC, Office of Grants Services  
John McGee, Grants Management Specialist  
Centers for Disease Control and Prevention  
Global Health Services Branch

2939 Flowers Road  
Atlanta, GA 30341  
Email: [qsj4@cdc.gov](mailto:qsj4@cdc.gov) (Include "Mandatory Grant Disclosures" in subject line)

AND

U.S. Department of Health and Human Services  
Office of the Inspector General  
ATTN: Mandatory Grant Disclosures, Intake Coordinator  
330 Independence Avenue, SW  
Cohen Building, Room 5527  
Washington, DC 20201

Fax: (202)-205-0604 (Include "Mandatory Grant Disclosures" in subject line) or  
Email: [MandatoryGranteeDisclosures@oig.hhs.gov](mailto:MandatoryGranteeDisclosures@oig.hhs.gov)

Recipients must include this mandatory disclosure requirement in all subawards and contracts under this award.

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371. Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180 and 376, and 31 U.S.C. 3321).

CDC is required to report any termination of a federal award prior to the end of the period of performance due to material failure to comply with the terms and conditions of this award in the OMB-designated integrity and performance system accessible through SAM (currently FAPIIS). (45 CFR 75.372(b)) CDC must also notify the recipient if the federal award is terminated for failure to comply with the federal statutes, regulations, or terms and conditions of the federal award. (45 CFR 75.373(b))

#### PAYMENT INFORMATION

*The HHS Office of the Inspector General (OIG) maintains a toll-free number (1-800-HHS-TIPS [1-800-447-8477]) for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Information also may be submitted by e-mail to [hstips@oig.hhs.gov](mailto:hstips@oig.hhs.gov) or by mail to Office of the Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington DC 20201. Such reports are treated as sensitive material and submitters may decline to give their names if they choose to remain anonymous.*

**Payment Management System Subaccount:** Funds awarded in support of approved activities have been obligated in a subaccount in the PMS, herein identified as the "P Account". Funds must be used in support of approved activities in the NOFO and the approved application.

The grant document number identified on the bottom of Page 1 of the Notice of Award must be known in order to draw down funds.

## PROGRAM OR FUNDING SPECIFIC CLOSEOUT REQUIREMENTS

The final programmatic report format required is the following.

**Final Performance Progress and Evaluation Report:** This report should include the information specified in the NOFO and is submitted 90 days following the end of the period of performance via [www.grantsolutions.gov](http://www.grantsolutions.gov). At a minimum, the report will include the following:

- Statement of progress made toward the achievement of originally stated aims.
- Description of results (positive or negative) considered significant.
- List of publications resulting from the project, with plans, if any, for further publication.

Additional guidance may be provided by the GMS and found at:

<https://www.cdc.gov/grants/alreadyhavegrant/Reporting.html>

## CDC Staff Contacts

**Grants Management Specialist:** The GMS is the federal staff member responsible for the day-to-day management of grants and cooperative agreements. The GMS is the primary contact of recipients for business and administrative matters pertinent to grant awards.

**Program/Project Officer:** The PO is the federal official responsible for monitoring the programmatic, scientific, and/or technical aspects of grants and cooperative agreements, as well as contributing to the effort of the award under cooperative agreements.

**Grants Management Officer:** The GMO is the federal official responsible for the business and other non-programmatic aspects of grant awards. The GMO is the only official authorized to obligate federal funds and is responsible for signing the NoA, including revisions to the NoA that change the terms and conditions. The GMO serves as the counterpart to the business officer of the recipient organization.

## EXHIBIT D



## DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

## Notice of Award

Award# 6 NH75OT000030-01-06

FAIN# NH75OT000030

Federal Award Date: 03/24/2025

## Recipient Information

## 1. Recipient Name

PUBLIC HEALTH, MASSACHUSETTS  
DEPARTMENT OF  
250 Washington St  
Boston, MA 02108-4603  
[NO DATA]

## 2. Congressional District of Recipient

08

## 3. Payment System Identifier (ID)

1046002284B7

## 4. Employer Identification Number (EIN)

046002284

## 5. Data Universal Numbering System (DUNS)

878298900

## 6. Recipient's Unique Entity Identifier (UEI)

DLKMR1QVDX34

## 7. Project Director or Principal Investigator

Dr. Stephanie Kang, DrPH  
Deputy Assistant Commissioner, Health Equity  
stephanie.kang@mass.gov  
857-523-8864

## 8. Authorized Official

Ms. Eileen M Sullivan  
Chief Operating Officer  
eileen.m.sullivan@mass.gov  
617-624-5257

## Federal Agency Information

CDC Office of Financial Resources

## 9. Awarding Agency Contact Information

Mr. Derick Wheeler , II  
Grants Management Specialist  
tie2@cdc.gov  
678-475-4972

## 10. Program Official Contact Information

Christie Chadwell  
Program Officer  
lwg1@cdc.gov  
404-498-5502

## 30. Remarks

Department Authority

## Federal Award Information

## 11. Award Number

6 NH75OT000030-01-06

## 12. Unique Federal Award Identification Number (FAIN)

NH75OT000030

## 13. Statutory Authority

317(K)(2) OF PHSA 42USC 247B(K)(2)

## 14. Federal Award Project Title

MA DPH Disparities 2021-2023

## 15. Assistance Listing Number

93.391

## 16. Assistance Listing Program Title

Activities to Support State, Tribal, Local and Territorial (STLT) Health Department Response to Public Health or Healthcare Crises

## 17. Award Action Type

Terminate

## 18. Is the Award R&amp;D?

No

## Summary Federal Award Financial Information

## 19. Budget Period Start Date 06/01/2021 - End Date 03/24/2025

## 20. Total Amount of Federal Funds Obligated by this Action \$0.00

20a. Direct Cost Amount \$0.00

20b. Indirect Cost Amount \$0.00

## 21. Authorized Carryover \$0.00

## 22. Offset \$0.00

## 23. Total Amount of Federal Funds Obligated this budget period \$18,573,439.00

## 24. Total Approved Cost Sharing or Matching, where applicable \$0.00

## 25. Total Federal and Non-Federal Approved this Budget Period \$18,573,439.00

## 26. Period of Performance Start Date 06/01/2021 - End Date 03/24/2025

## 27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance \$18,573,439.00

## 28. Authorized Treatment of Program Income

ADDITIONAL COSTS

## 29. Grants Management Officer - Signature

Mrs. Erica Stewart

Team Lead, Grants Management Officer



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Centers for Disease Control and Prevention

Notice of Award

Award# [6 NH75OT000030-01-06](#)

FAIN# [NH75OT000030](#)

Federal Award Date: [03/24/2025](#)

**Recipient Information**

**Recipient Name**

PUBLIC HEALTH, MASSACHUSETTS  
DEPARTMENT OF  
250 Washington St  
Boston, MA 02108-4603  
[NO DATA]

**Congressional District of Recipient**

08

**Payment Account Number and Type**

1046002284B7

**Employer Identification Number (EIN) Data**

046002284

**Universal Numbering System (DUNS)**

878298900

**Recipient's Unique Entity Identifier (UEI)**

DLKMR1QVDX34

**31. Assistance Type**

Project Grant

**32. Type of Award**

Other

**33. Approved Budget**

(Excludes Direct Assistance)

I. Financial Assistance from the Federal Awarding Agency Only	
II. Total project costs including grant funds and all other financial participation	
a. Salaries and Wages	\$2,119,861.00
b. Fringe Benefits	\$891,260.00
c. Total Personnel Costs	\$3,011,121.00
d. Equipment	\$0.00
e. Supplies	\$22,111.00
f. Travel	\$21,717.00
g. Construction	\$0.00
h. Other	\$464,304.00
i. Contractual	\$14,681,786.00
j. TOTAL DIRECT COSTS	\$18,201,039.00
k. INDIRECT COSTS	\$372,400.00
l. TOTAL APPROVED BUDGET	\$18,573,439.00
m. Federal Share	\$18,573,439.00
n. Non-Federal Share	\$0.00

**34. Accounting Classification Codes**

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	ASSISTANCE LISTING	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
1-9390H06	21NH75OT000030C5	OT	41.51	93.391	\$0.00	75-2122-0140



# DEPARTMENT OF HEALTH AND HUMAN SERVICES Notice of Award

Centers for Disease Control and Prevention

Award# [6 NH75OT000030-01-06](#)

FAIN# [NH75OT000030](#)

Federal Award Date: [03/24/2025](#)

## Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$ 0.00	\$ 0.00	\$ 0.00
Fringe Benefits	\$ 0.00	\$ 0.00	\$ 0.00
Travel	\$ 0.00	\$ 0.00	\$ 0.00
Equipment	\$ 0.00	\$ 0.00	\$ 0.00
Supplies	\$ 0.00	\$ 0.00	\$ 0.00
Contractual	\$ 0.00	\$ 0.00	\$ 0.00
Construction	\$ 0.00	\$ 0.00	\$ 0.00
Other	\$ 0.00	\$ 0.00	\$ 0.00
Total	\$ 0.00	\$ 0.00	\$ 0.00

## **AWARD ATTACHMENTS**

PUBLIC HEALTH, MASSACHUSETTS DEPARTMENT OF

6 NH75OT000030-01-06

---

1. Terms & Conditions

## **TERMS AND CONDITIONS OF AWARD**

**Termination:** The purpose of this amendment is to terminate this award which is funded by COVID-19 supplemental appropriations. The termination of this award is for cause. HHS regulations permit termination if “the non-Federal entity fails to comply with the terms and conditions of the award”, or separately, “for cause.” The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of this award is effective as of the date set out in your Notice of Award.

No additional activities can be conducted, and no additional costs may be incurred. Unobligated award balances will be de-obligated by CDC.

**Closeout:** In order to facilitate an orderly closeout, we are requesting that you submit all closeout reports identified below within thirty (30) days of the date of this NoA. Submit the documentation as a “Grant Closeout” amendment in GrantSolutions. The reporting timeframe is the full period of performance. Please note, if you fail to submit timely and accurate reports, CDC may also pursue other enforcement actions per 45 CFR Part 75.371.

**Final Performance/Progress Report:** This report should include the information specified in the Notice of Funding Opportunity (NOFO). At a minimum, the report will include the following:

- Statement of progress made toward the achievement of originally stated aims.
- Description of results (positive or negative) considered significant.
- List of publications resulting from the project, with plans, if any, for further publication.

**Final Federal Financial Report (FFR, SF-425):** The FFR should only include those funds authorized and expended during the timeframe covered by the report. The final report must indicate the exact balance of unobligated funds and may not reflect any unliquidated obligations. Should the amount not match with the final expenditures reported to the Payment Management System (PMS), you will be required to update your reports to PMS accordingly.

**Equipment and Supplies - Tangible Personal Property Report (SF-428):** A completed SF-428 detailing all major equipment acquired with a unit acquisition cost of \$10,000 or more. If no equipment was acquired under the award, a negative report is required

## EXHIBIT E

1. DATE ISSUED MM/DD/YYYY 07/10/2019	1a. SUPERSEDES AWARD NOTICE dated except that any additions or restrictions previously imposed remain in effect unless specifically rescinded
---	---

2. CFDA NO. 93.323 - Epidemiology and Laboratory Capacity for Infectious Diseases (ELC)
--

3. ASSISTANCE TYPE Cooperative Agreement
--

4. GRANT NO. 1 NU50CK000518-01-00 Formerly	5. TYPE OF AWARD Other
---	---------------------------

4a. FAIN NU50CK000518	5a. ACTION TYPE New
-----------------------	---------------------

6. PROJECT PERIOD MM/DD/YYYY From 08/01/2019	MM/DD/YYYY Through 07/31/2024
---	----------------------------------

7. BUDGET PERIOD MM/DD/YYYY From 08/01/2019	MM/DD/YYYY Through 07/31/2020
--	----------------------------------

8. TITLE OF PROJECT (OR PROGRAM) Building and Enhancing Epidemiology, Laboratory and Health Information Systems Capacity in Massachusetts
--

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

CDC Office of Financial Resources

2939 Brandywine Road  
Atlanta, GA 30341

### NOTICE OF AWARD

AUTHORIZATION (Legislation/Regulations)  
301(A)AND317(K)(2)PHS42USC241(A)247B(K)2

#### 9a. GRANTEE NAME AND ADDRESS

PUBLIC HEALTH, MASSACHUSETTS DEPT OF  
250 Washington St  
-DUP2  
Boston, MA 02108-4603

#### 9b. GRANTEE PROJECT DIRECTOR

Ms. Patricia Kludt  
250 WASHINGTON ST  
BOSTON, MA 02108-4603  
Phone: 617-983-6800

#### 10a. GRANTEE AUTHORIZING OFFICIAL

Ms. Eileen Sullivan  
250 Washington St 3rd Floor  
Boston, MA 02108-4603  
Phone: 617-624-5257

#### 10b. FEDERAL PROJECT OFFICER

Wayne Brathwaite  
1600 Clifton Rd  
Atlanta, GA 30333  
Phone: 404-639-5127

**ALL AMOUNTS ARE SHOWN IN USD**

#### 11. APPROVED BUDGET (Excludes Direct Assistance)

I Financial Assistance from the Federal Awarding Agency Only	I
II Total project costs including grant funds and all other financial participation	

a. Salaries and Wages .....	2,461,973.00
b. Fringe Benefits .....	914,032.00
c. Total Personnel Costs .....	3,376,005.00
d. Equipment .....	0.00
e. Supplies .....	372,000.00
f. Travel .....	47,301.00
g. Construction .....	0.00
h. Other .....	163,238.00
i. Contractual .....	1,085,835.00
j. TOTAL DIRECT COSTS	5,044,379.00
k. INDIRECT COSTS	309,358.00
<b>I. TOTAL APPROVED BUDGET</b>	<b>5,353,737.00</b>
m. Federal Share	5,353,737.00
n. Non-Federal Share	0.00

#### 12. AWARD COMPUTATION

- |  |              |
|--|--------------|
| a. Amount of Federal Financial Assistance (from item 1m) | 5,353,737.00 |
| b. Less Unobligated Balance From Prior Budget Periods    | 0.00         |
| c. Less Cumulative Prior Award(s) This Budget Period     | 0.00         |
- d. **AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION** 5,353,737.00

13. Total Federal Funds Awarded to Date for Project Period	5,353,737.00
--	--------------

#### 14. RECOMMENDED FUTURE SUPPORT

(Subject to the availability of funds and satisfactory progress of the project):

YEAR	TOTAL DIRECT COSTS	YEAR	TOTAL DIRECT COSTS
a. 2		d. 5	
b. 3		e. 6	
c. 4		f. 7	

#### 15. PROGRAM INCOME SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES:

- a. DEDUCTION  
b. ADDITIONAL COSTS  
c. MATCHING  
d. OTHER RESEARCH (Add / Deduct Option)  
e. OTHER (See REMARKS)

b

#### 16. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY, THE FEDERAL AWARDED AGENCY ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:

- a. The grant program legislation  
b. The grant program regulations  
c. This award notice including terms and conditions, if any, noted below under REMARKS  
d. Federal administrative requirements, cost principles and audit requirements applicable to this grant.

In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall prevail. Acceptance of the grant terms and conditions is acknowledged by the grantee when funds are drawn or otherwise obtained from the grant payment system.

**REMARKS** (Other Terms and Conditions Attached -

Yes

No

#### GRANTS MANAGEMENT OFFICIAL:

Shirley K Byrd, Grants Management Officer  
2939 Flowers Rd  
Mailstop TV-2  
Atlanta, GA 30341-5509  
Phone: (770) 488-2591

17. OBJ CLASS	41.51	18a. VENDOR CODE	1046002284B7	18b. EIN	046002284	19. DUNS	878298900	20. CONG. DIST.	08
FY-ACCOUNT NO.		DOCUMENT NO.		ADMINISTRATIVE CODE		AMT ACTION FIN ASST		APPROPRIATION	
21. a.	9-921VV46	b.	19NU50CK000518	c.	CK	d.	\$409,843.00	e.	75-19-0949
22. a.	9-921VV47	b.	19NU50CK000518	c.	CK	d.	\$125,000.00	e.	75-19-0949
23. a.	9-939014P	b.	19NU50CK000518	c.	CK	d.	\$459,381.00	e.	75-19-0949

NOTICE OF AWARD (Continuation Sheet)

PAGE 2 of 3	DATE ISSUED 07/10/2019
GRANT NO. 1 NU50CK000518-01-00	

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	AMT ACTION FIN ASST	APPROPRIATION
24.a. 9-93905VH	b. 19NU50CK000518	c. CK	d. \$204,539.00	e. 75-19-0949
25.a. 9-93908MV	b. 19NU50CK000518	c. CK	d. \$1,240,341.00	e. 75-19-0949
26.a. 9-93909QZ	b. 19NU50CK000518	c. CK	d. \$118,888.00	e. 75-X-0951
27.a. 9-93909UW	b. 19NU50CK000518	c. CK	d. \$942,981.00	e. 75-X-0949
28.a. 9-9390BW5	b. 19NU50CK000518	c. CK	d. \$153,530.00	e. 75-19-0958
29.a. 9-9390C0K	b. 19NU50CK000518	c. CK	d. \$60,000.00	e. 75-X-0943
30.a. 9-9390CA2	b. 19NU50CK000518	c. CK	d. \$608,665.00	e. 75-19-0952
31.a. 9-939ZLBG	b. 19NU50CK000518	c. CK	d. \$6,100.00	e. 75-19-0951
32.a. 9-939ZSCE	b. 19NU50CK000518	c. CK	d. \$197,382.00	e. 75-19-0951
33.a. 9-939ZSKR	b. 19NU50CK000518	c. CK	d. \$306,097.00	e. 75-19-0949
34.a. 9-939ZTHN	b. 19NU50CK000518	c. CK	d. \$121,907.00	e. 75-19-0949
35.a. 9-939ZVJC	b. 19NU50CK000518	c. CK	d. \$399,083.00	e. 75-19-0949

**Direct Assistance**

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

NOTICE OF AWARD (Continuation Sheet)

PAGE 3 of 3	DATE ISSUED 07/10/2019
GRANT NO. 1 NU50CK000518-01-00	

Federal Financial Report Cycle

Reporting Period Start Date	Reporting Period End Date	Reporting Type	Reporting Period Due Date
08/01/2019	07/31/2020	Annual	10/29/2020
08/01/2020	07/31/2021	Annual	10/29/2021
08/01/2021	07/31/2022	Annual	10/29/2022
08/01/2022	07/31/2023	Annual	10/29/2023
08/01/2023	07/31/2024	Annual	10/29/2024

## **AWARD ATTACHMENTS**

Massachusetts Department of Public Health

1 NU50CK000518-01-00

---

### 1. Terms and Conditions

## AWARD INFORMATION

**Incorporation:** In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at <https://www.cdc.gov/grants/federalregulationspolicies/index.html>, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number CDC-RFA-CK19-1904, entitled 2019 Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC) - 2019, and application dated May 8, 2019, as may be amended, which are hereby made a part of this Non-research award, hereinafter referred to as the Notice of Award (NoA).

**Approved Funding:** Funding in the amount of \$5,353,737 is approved for the Year 01 budget period, which is August 1, 2019 through July 31, 2020. All future year funding will be based on satisfactory programmatic progress and the availability of funds.

NOFO Funding	Amount
Non-PPHF	\$ 5,353,737

The federal award amount is subject to adjustment based on total allowable costs incurred and/or the value of any third party in-kind contribution when applicable.

Note: Refer to the Payment Information section for Payment Management System (PMS) subaccount information.

**Financial Assistance Mechanism:** Cooperative Agreement

**Substantial Involvement by CDC:** This is a cooperative agreement and CDC will have substantial programmatic involvement after the award is made. Substantial involvement is in addition to all post-award monitoring, technical assistance, and performance reviews undertaken in the normal course of stewardship of federal funds.

CDC program staff will assist, coordinate, or participate in carrying out effort under the award, and recipients agree to the responsibilities therein, as detailed in the NOFO.

**Objective/Technical Review Statement Response Requirement:** The review comments on the strengths and weaknesses of the proposal are provided as part of this award. A response to the weaknesses in these statements must be submitted to and approved, in writing, by the Program Officer noted in the CDC Staff Contacts section of this NoA, no later than 30 days from the budget period start date. Failure to submit the required information by the due date, September 2, 2019, will cause delay in programmatic progress and will adversely affect the future funding of this project.

**Budget Revision Requirement:** By September 2, 2019 the recipient must submit a revised budget with a narrative justification. Failure to submit the required information in a timely manner may adversely affect the future funding of this project. If the information cannot be provided by the due date, you are required to contact the GMS/GMO identified in the CDC Staff Contacts section of this notice before the due date.

**Expanded Authority:** The recipient is permitted the following expanded authority in the administration of the award.

- Carryover of unobligated balances from one budget period to a subsequent budget period. Unobligated funds may be used for purposes within the scope of the project as originally approved. Recipients will report use, or intended use, of unobligated funds in Section 12 "Remarks" of the annual Federal Financial Report. If the GMO determines that some or all of the unobligated funds are not necessary to complete the project, the GMO may restrict the recipient's authority to automatically carry over unobligated balances in the future, use the balance to reduce or offset CDC funding for a subsequent budget period, or use a combination of these actions.

**Program Income:** Any program income generated under this grant or cooperative agreement will be used in accordance with the Addition alternative.

**Addition alternative:** Under this alternative, program income is added to the funds committed to the project/program and is used to further eligible project/program objectives.

Note: The disposition of program income must have written prior approval from the GMO.

#### **FUNDING RESTRICTIONS AND LIMITATIONS**

**Indirect Costs:** Indirect costs are approved based on the negotiated indirect cost rate agreement dated 12/19/2016, which calculates indirect costs as follows, a Provisional rate is approved at a rate of 13.31% of the base, which includes, direct salaries and wages including vacation, holiday, sick pay and other paid absences but excluding all other fringe benefits. The effective dates of this indirect cost rate are from July 01, 2018 to until amended.

#### **REPORTING REQUIREMENTS**

**Performance Progress and Monitoring:** Performance information collection initiated under this grant/cooperative agreement has been approved by the Office of Management and Budget under **OMB Number 0920-1132, "Performance Progress and Monitoring Report"**, **Expiration Date 8/31/2019**. The components of the PPMR are available for download at: <https://www.cdc.gov/grants/alreadyhavegrant/Reporting.html>.

**Required Disclosures for Federal Awardee Performance and Integrity Information System (FAPIIS):** Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the CDC, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the CDC and to the HHS OIG at the following addresses:

CDC, Office of Grants Services  
Karen Zion, Grants Management Specialist  
Centers for Disease Control and Prevention  
Infectious Disease Services Branch  
2939 Flowers Road, MS-TV-2  
Atlanta, GA 30341  
Telephone: 770-488-2729  
Email: wvf8@cdc.gov (Include "Mandatory Grant Disclosures" in subject line)

AND

U.S. Department of Health and Human Services  
Office of the Inspector General  
ATTN: Mandatory Grant Disclosures, Intake Coordinator  
330 Independence Avenue, SW  
Cohen Building, Room 5527  
Washington, DC 20201

Fax: (202)-205-0604 (Include "Mandatory Grant Disclosures" in subject line) or  
Email: [MandatoryGranteeDisclosures@oig.hhs.gov](mailto:MandatoryGranteeDisclosures@oig.hhs.gov)

Recipients must include this mandatory disclosure requirement in all subawards and contracts under this award.

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371. Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180 and 376, and 31 U.S.C. 3321).

CDC is required to report any termination of a federal award prior to the end of the period of performance due to material failure to comply with the terms and conditions of this award in the OMB-designated integrity and performance system accessible through SAM (currently FAPIIS). (45 CFR 75.372(b)) CDC must also notify the recipient if the federal award is terminated for failure to comply with the federal statutes, regulations, or terms and conditions of the federal award. (45 CFR 75.373(b))

#### **PAYMENT INFORMATION**

*The HHS Office of the Inspector General (OIG) maintains a toll-free number (1-800-HHS-TIPS [1-800-447-8477]) for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Information also may be submitted by e-mail to [hhstips@oig.hhs.gov](mailto:hhstips@oig.hhs.gov) or by mail to Office of the Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington DC 20201. Such reports are treated as sensitive material and submitters may decline to give their names if they choose to remain anonymous.*

**Payment Management System Subaccount:** Funds awarded in support of approved activities have been obligated in a subaccount in the PMS, herein identified as the "P Account". Funds must be used in support of approved activities in the NOFO and the approved application.

The grant document number identified on the bottom of Page 1 of the Notice of Award must be known in order to draw down funds.

Component: Non-PPHF
Document Number: 19NU50CK000518

## CDC Staff Contacts

**Grants Management Specialist:** The GMS is the federal staff member responsible for the day-to-day management of grants and cooperative agreements. The GMS is the primary contact of recipients for business and administrative matters pertinent to grant awards.

**GMS Contact:**

Karen Zion, Grants Management Specialist  
Centers for Disease Control and Prevention  
Infectious Disease Services Branch  
2939 Flowers Road, MS-TV-2  
Atlanta, GA 30341  
Telephone: 770-488-2729  
Email: wvf8@cdc.gov

**Program/Project Officer:** The PO is the federal official responsible for monitoring the programmatic, scientific, and/or technical aspects of grants and cooperative agreements, as well as contributing to the effort of the award under cooperative agreements.

**Grants Management Officer:** The GMO is the federal official responsible for the business and other non-programmatic aspects of grant awards. The GMO is the only official authorized to obligate federal funds and is responsible for signing the NoA, including revisions to the NoA that change the terms and conditions. The GMO serves as the counterpart to the business officer of the recipient organization.

## EXHIBIT F



## DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

## Notice of Award

Award# 6 NU50CK000518-05-09

FAIN# NU50CK000518

Federal Award Date: 03/24/2025

## Recipient Information

## 1. Recipient Name

PUBLIC HEALTH, MASSACHUSETTS  
DEPARTMENT OF  
250 WASHINGTON ST  
-DUP2  
BOSTON, MA 02108-4603  
[NO DATA]

## 2. Congressional District of Recipient

08

## 3. Payment System Identifier (ID)

1046002284B7

## 4. Employer Identification Number (EIN)

046002284

## 5. Data Universal Numbering System (DUNS)

878298900

## 6. Recipient's Unique Entity Identifier (UEI)

DLKMR1QVDX34

## 7. Project Director or Principal Investigator

Ms. Patricia Kludt  
Director, Epidemiology Program  
Patricia.Kludt@state.ma.us  
617-983-6800

## 8. Authorized Official

Ms. Eileen M Sullivan  
Chief Operating Officer  
eileen.m.sullivan@mass.gov  
617-624-5257

## Federal Agency Information

CDC Office of Financial Resources

## 9. Awarding Agency Contact Information

Whitney Dade  
Grants Management Specialist  
zmm8@cdc.gov  
4044983038

## 10. Program Official Contact Information

Mr. Patrick Nonnenmacher  
Project Officer  
DPEI  
pen3@cdc.gov  
404.498.6222

## 30. Remarks

Department Authority

## Federal Award Information

## 11. Award Number

6 NU50CK000518-05-09

## 12. Unique Federal Award Identification Number (FAIN)

NU50CK000518

## 13. Statutory Authority

301(A)AND317(K)(2)PHS42USC241(A)247B(K)2

## 14. Federal Award Project Title

Building and Enhancing Epidemiology, Laboratory and Health Information Systems Capacity in Massachusetts

## 15. Assistance Listing Number

93.323

## 16. Assistance Listing Program Title

Epidemiology and Laboratory Capacity for Infectious Diseases (ELC)

## 17. Award Action Type

Administrative Action

## 18. Is the Award R&amp;D?

No

## Summary Federal Award Financial Information

## 19. Budget Period Start Date 08/01/2023 - End Date 03/24/2025

## 20. Total Amount of Federal Funds Obligated by this Action \$0.00

20a. Direct Cost Amount \$0.00

20b. Indirect Cost Amount \$0.00

## 21. Authorized Carryover \$18,542,152.00

## 22. Offset \$617,190.00

## 23. Total Amount of Federal Funds Obligated this budget period \$15,854,563.00

## 24. Total Approved Cost Sharing or Matching, where applicable \$0.00

## 25. Total Federal and Non-Federal Approved this Budget Period \$15,854,563.00

## 26. Period of Performance Start Date 08/01/2019 - End Date 03/24/2025

## 27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance \$1,084,578,202.25

## 28. Authorized Treatment of Program Income

ADDITIONAL COSTS

## 29. Grants Management Officer - Signature

Terrian Dixon  
Grants Management Officer



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Centers for Disease Control and Prevention

Notice of Award

Award# 6 NU50CK000518-05-09

FAIN# NU50CK000518

Federal Award Date: 03/24/2025

**Recipient Information**

**Recipient Name**

PUBLIC HEALTH, MASSACHUSETTS  
DEPARTMENT OF  
250 WASHINGTON ST  
-DUP2  
BOSTON, MA 02108-4603

[NO DATA]  
**Congressional District of Recipient**

08

**Payment Account Number and Type**

1046002284B7

**Employer Identification Number (EIN) Data**

046002284

**Universal Numbering System (DUNS)**

878298900

**Recipient's Unique Entity Identifier (UEI)**

DLKMR1QVDX34

**31. Assistance Type**

Cooperative Agreement

**32. Type of Award**

Other

**33. Approved Budget**

(Excludes Direct Assistance)

I. Financial Assistance from the Federal Awarding Agency Only	
II. Total project costs including grant funds and all other financial participation	
a. Salaries and Wages	\$10,967,771.00
b. Fringe Benefits	\$4,899,931.00
c. Total Personnel Costs	\$15,867,702.00
d. Equipment	\$808,132.00
e. Supplies	\$4,159,708.00
f. Travel	\$209,077.00
g. Construction	\$0.00
h. Other	\$5,250,087.00
i. Contractual	\$7,600,551.00
j. TOTAL DIRECT COSTS	\$33,895,257.00
k. INDIRECT COSTS	\$1,118,648.00
l. TOTAL APPROVED BUDGET	\$35,013,905.00
m. Federal Share	\$35,013,905.00
n. Non-Federal Share	\$0.00

**34. Accounting Classification Codes**

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	ASSISTANCE LISTING	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
0-9390F7F	19NU50CK000518C4	CK	41.51	93.323	\$0.00	75-X-0140
0-9390EPX	19NU50CK000518CV	CK	41.51	93.323	\$0.00	75-2022-0943
1-9390EPX	19NU50CK000518EDEXC5	CK	41.51	93.323	\$0.00	75-2022-0943
4-9390MVT	19NU50CK000518SHP2C5	CK	41.51	93.323	\$0.00	75-2124-0943



# DEPARTMENT OF HEALTH AND HUMAN SERVICES Notice of Award

Centers for Disease Control and Prevention

Award# 6 NU50CK000518-05-09

FAIN# NU50CK000518

Federal Award Date: 03/24/2025

## Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$ 0.00	\$ 0.00	\$ 0.00
Fringe Benefits	\$ 0.00	\$ 0.00	\$ 0.00
Travel	\$ 0.00	\$ 0.00	\$ 0.00
Equipment	\$ 0.00	\$ 0.00	\$ 0.00
Supplies	\$ 0.00	\$ 0.00	\$ 0.00
Contractual	\$ 0.00	\$ 0.00	\$ 0.00
Construction	\$ 0.00	\$ 0.00	\$ 0.00
Other	\$ 0.00	\$ 0.00	\$ 0.00
Total	\$ 0.00	\$ 0.00	\$ 0.00

## **AWARD ATTACHMENTS**

PUBLIC HEALTH, MASSACHUSETTS DEPARTMENT OF

6 NU50CK000518-05-09

---

1. Terms and Conditions

## **TERMS AND CONDITIONS OF AWARD**

**Termination:** The purpose of this amendment is to terminate the use of any remaining COVID-19 funding associated with this award. The termination of this funding is for cause. HHS regulations permit termination if “the non-Federal entity fails to comply with the terms and conditions of the award”, or separately, “for cause.” The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of use of funding under the listed document number(s) is effective as of the date set out in your Notice of Award.

Impacted document numbers are included on page 2 of this Notice of Award (NoA).

No additional activities can be conducted, and no additional costs may be incurred, as it relates to these funds. Unobligated award balances of COVID-19 funding will be de-obligated by CDC. Award activities under other funding may continue consistent with the terms and conditions of the award.

**Final Federal Financial Report (FFR, SF-425):** Within 30 days please submit final FFR's for impacted document numbers. The FFR should only include those funds authorized and expended during the timeframe covered by the report. The final report must indicate the exact balance of unobligated funds and may not reflect any unliquidated obligations. Should the amount not match with the final expenditures reported to the Payment Management System (PMS), you will be required to update your reports to PMS accordingly.

**All other terms and conditions of this award remain in effect.**

## EXHIBIT G

1. DATE ISSUED MM/DD/YYYY 06/24/2019	1a. SUPERSEDES AWARD NOTICE dated except that any additions or restrictions previously imposed remain in effect unless specifically rescinded
2. CFDA NO. 93.268 - Immunization Cooperative Agreements	
3. ASSISTANCE TYPE Cooperative Agreement	
4. GRANT NO. 1 NH23IP922629-01-00  Formerly	5. TYPE OF AWARD Demonstration
4a. FAIN NH23IP922629	5a. ACTION TYPE New
6. PROJECT PERIOD MM/DD/YYYY From 07/01/2019	MM/DD/YYYY Through 06/30/2024
7. BUDGET PERIOD MM/DD/YYYY From 07/01/2019	MM/DD/YYYY Through 06/30/2020
8. TITLE OF PROJECT (OR PROGRAM) CDC-RFA-IP19-1901 Immunization and Vaccines for Children	

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**  
**Centers for Disease Control and Prevention**  
**CDC Office of Financial Resources**

2939 Brandywine Road  
Atlanta, GA 30341

**NOTICE OF AWARD**

AUTHORIZATION (Legislation/Regulations)  
 Sections 317, 317(k)(2) of the Public Health Service Act (42 U.S.C.  
 Sections 247b, 247b(k)(2) and 247c), as amended.

9a. GRANTEE NAME AND ADDRESS PUBLIC HEALTH, MASSACHUSETTS DEPT OF 250 Washington St Massachusetts Department of Public Health Boston, MA 02108-4603	9b. GRANTEE PROJECT DIRECTOR Mr. Pejman Talebian 305 South Street Jamaica Plain, MA 02130-3535 Phone: 617-983-6880		
10a. GRANTEE AUTHORIZING OFFICIAL Ms. Eileen Sullivan 250 Washington St 3rd Floor Boston, MA 02108-4603 Phone: 617-624-5257	10b. FEDERAL PROJECT OFFICER Gayle Daniels 1600 Clifton Rd Atlanta, GA 30333 Phone: 404-639-6357		
ALL AMOUNTS ARE SHOWN IN USD			
11. APPROVED BUDGET (Excludes Direct Assistance)			
I Financial Assistance from the Federal Awarding Agency Only			
II Total project costs including grant funds and all other financial participation	<b>[I]</b>		
a. Salaries and Wages .....	3,994,408.00		
b. Fringe Benefits .....	1,445,357.00		
c. Total Personnel Costs .....	5,439,765.00		
d. Equipment .....	0.00		
e. Supplies .....	65,501.00		
f. Travel .....	49,358.00		
g. Construction .....	0.00		
h. Other .....	76,549.00		
i. Contractual .....	1,594,938.00		
j. TOTAL DIRECT COSTS	<b>7,226,111.00</b>		
k. INDIRECT COSTS	531,658.00		
<b>I. TOTAL APPROVED BUDGET</b>	<b>7,757,769.00</b>		
m. Federal Share			
n. Non-Federal Share	0.00		
12. AWARD COMPUTATION			
a. Amount of Federal Financial Assistance (from item 1m)	7,757,769.00		
b. Less Unobligated Balance From Prior Budget Periods	0.00		
c. Less Cumulative Prior Award(s) This Budget Period	0.00		
d. <b>AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION</b>	<b>7,757,769.00</b>		
13. Total Federal Funds Awarded to Date for Project Period	7,757,769.00		
14. RECOMMENDED FUTURE SUPPORT (Subject to the availability of funds and satisfactory progress of the project):			
YEAR	TOTAL DIRECT COSTS	YEAR	TOTAL DIRECT COSTS
a. 2		d. 5	
b. 3		e. 6	
c. 4		f. 7	
15. PROGRAM INCOME SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES:			<b>[b]</b>
a. DEDUCTION			
b. ADDITIONAL COSTS			
c. MATCHING			
d. OTHER RESEARCH (Add / Deduct Option)			
e. OTHER (See REMARKS)			
16. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY, THE FEDERAL AWARDING AGENCY ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:			
a. The grant program legislation			
b. The grant program regulations			
c. This award notice including terms and conditions, if any, noted below under REMARKS.			
d. Federal administrative requirements, cost principles and audit requirements applicable to this grant.			
In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall prevail. Acceptance of the grant terms and conditions is acknowledged by the grantee when funds are drawn or otherwise obtained from the grant payment system.			

REMARKS (Other Terms and Conditions Attached -  Yes  No)

**GRANTS MANAGEMENT OFFICIAL:**

Erica Stewart, Grants Management Officer  
2939 Flowers Rd  
TV-2  
Atlanta, GA 30341  
Phone: 770-488-2769

17. OBJ CLASS	41.51	18a. VENDOR CODE	1046002284B7	18b. EIN	046002284	19. DUNS	878298900	20. CONG. DIST.	08
FY-ACCOUNT NO.		DOCUMENT NO.		ADMINISTRATIVE CODE		AMT ACTION FIN ASST		APPROPRIATION	
21. a.	9-93909KZ	b.	19NH23IP922629	c.	IP	d.	\$4,355,399.00	e.	75-X-0951
22. a.	9-9390BKG	b.	19NH23IP922629	c.	IP	d.	\$849,794.00	e.	75-75-X-0512-009
23. a.	9-9390BKJ	b.	19NH23IP922629	c.	IP	d.	\$85,979.00	e.	75-75-X-0512-009

NOTICE OF AWARD (Continuation Sheet)

PAGE 2 of 3	DATE ISSUED 06/24/2019
GRANT NO. 1 NH23IP922629-01-00	

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	AMT ACTION FIN ASST	APPROPRIATION
24.a. 9-9390BKM	b. 19NH23IP922629	c. IP	d. \$1,243,066.00	e. 75-75-X-0512-009
25.a. 9-939ZRWL	b. 19NH23IP922629	c. IP	d. \$428,482.00	e. 75-19-0951
26.a. 9-939ZRYH	b. 19NH23IP922629	c. IP	d. \$795,049.00	e. 75-19-0951

**Direct Assistance**

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

NOTICE OF AWARD (Continuation Sheet)

PAGE 3 of 3	DATE ISSUED 06/24/2019
GRANT NO. 1 NH23IP922629-01-00	

Federal Financial Report Cycle

Reporting Period Start Date	Reporting Period End Date	Reporting Type	Reporting Period Due Date
07/01/2019	06/30/2020	Annual	09/28/2020
07/01/2020	06/30/2021	Annual	09/28/2021
07/01/2021	06/30/2022	Annual	09/28/2022
07/01/2022	06/30/2023	Annual	09/28/2023
07/01/2023	06/30/2024	Annual	09/28/2024

## **AWARD ATTACHMENTS**

Massachusetts Department of Public Health

1 NH23IP922629-01-00

---

### 1. Terms and Conditions

## AWARD INFORMATION

**Incorporation:** In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at <https://www.cdc.gov/grants/federalregulationspolicies/index.html>, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number IP19-1901, entitled Immunization and Vaccines for Children, and application dated Apr 05, 2019 as may be amended, which are hereby made a part of this Non-research award, hereinafter referred to as the Notice of Award (NOA).

**Approved Funding:** Funding in the amount of \$7,757,769 is approved for the Year 2019 budget period, which is July 1, 2019 through June 30, 2020. All future year funding will be based on satisfactory programmatic progress and the availability of funds.

The federal award amount is subject to adjustment based on total allowable costs incurred and/or the value of any third party in-kind contribution when applicable.

Note: Refer to the Payment Information section for Payment Management System (PMS) subaccount information.

The NOFO provides for the funding of multiple components under this award. The approved component funding levels for this notice of award are:

Funding Type	Amount
Project AA1	\$ 500,000
Project BB1	\$ 500,000
<b>Core Funding</b>	<b>\$6,757,769</b>

**Approved But Unfunded:** Travel to the following CDC Sponsored or co-sponsored meetings is approved but not funded at this time: National Immunization Conference (NIC), Immunization Awardee Meetings, Influenza Immunization Summit, and the Public Health Informatics Conference.

Note: Refer to the Payment Information section for draw down and Payment Management System (PMS) subaccount information.

**Financial Assistance Mechanism:** Cooperative Agreement

**Substantial Involvement by CDC:** This is a cooperative agreement and CDC will have substantial programmatic involvement after the award is made. Substantial involvement is in addition to all post-award monitoring, technical assistance, and performance reviews undertaken in the normal course of stewardship of federal funds.

CDC program staff will assist, coordinate, or participate in carrying out effort under the award, and recipients agree to the responsibilities therein, as detailed in the NOFO and below.

- Provide guidance, trainings, tools, and technical assistance to award recipient on program area components.
- Host conference calls for sharing information from CDC and between award recipients.
- Work with award recipients on planning and implementation of required and proposed activities.
- Monitor award recipient vaccine spend plan and replenishment providing regular feedback and working with award recipient to address barriers.
- Analyze and report results of surveys regarding national, state and selected local level vaccination coverage.

- Analyze and report result of surveys of award recipient plans and activities related to preparedness.
- Collaboration with external partners to promote IIS in national health IT settings.
- Develop and support improvements in IIS data quality and program measures to assess IIS performance.
- Use IIS submitted data to develop methods to estimate national vaccination coverage and calculate vaccination coverage estimates for routinely recommended childhood vaccines.
- Use IIS submitted data to monitor seasonal or pandemic influenza vaccination among ages that are available in the IIS data.
- Assist, as needed, in the development of data collection and reporting methods for school-enterer vaccination coverage surveys.
- Provide VFC policy guidance via the VFC Operations Guide, periodic trainings and conference calls, including use of the CDC developed quality assurance site visit tools, to assist award recipient implement their VFC program in accordance with federal requirements.
- Provide subject matter guidance in all program component areas.

**Summary/Technical Review Response Requirement:** The review comments on the strengths and weaknesses of the proposal are provided as part of this award. A response to the weaknesses in these statements must be submitted in GrantSolutions Grant Notes and approved, in writing, by the Grants Management Specialist/Grants Management Officer (GMS/GMO) noted in the CDC Staff Contacts section of this NOA, no later than 60 days from the budget period start date. Failure to submit the required information by the due date, September 3, 2019, will cause delay in programmatic progress and will adversely affect the future funding of this project.

**Budget Revision Requirement:** By September 3, 2019 the recipient must submit a revised budget with a narrative justification in GrantSolutions Grant Notes. Failure to submit the required information in a timely manner may adversely affect the future funding of this project. If the information cannot be provided by the due date, you are required to contact the GMS/GMO identified in the CDC Staff Contacts section of this notice before the due date.

**Program Income:** Any program income generated under this grant or cooperative agreement will be used in accordance with the Addition alternative.

**Addition alternative:** Under this alternative, program income is added to the funds committed to the project/program and is used to further eligible project/program objectives.

Note: The disposition of program income must have written prior approval from the GMO.

## FUNDING RESTRICTIONS AND LIMITATIONS

### Notice of Funding Opportunity (NOFO) Restrictions:

- Recipients may not use funds for research.
- Recipients may not use funds for clinical care except as allowed by law.
- Recipients may use funds only for reasonable program purposes, including personnel, travel, supplies, and services.

- Generally, recipients may not use funds to purchase furniture or equipment. Any such proposed spending must be clearly identified in the budget.
- Reimbursement of pre-award costs generally is not allowed, unless the CDC provides written approval to the recipient.
- Other than for normal and recognized executive-legislative relationships, no funds may be used for:
  - publicity or propaganda purposes, for the preparation, distribution, or use of any material designed to support or defeat the enactment of legislation before any legislative body
  - the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before any legislative body
  - See Additional Requirement (AR) 12 for detailed guidance on this prohibition and additional guidance on lobbying for CDC recipients.
- The direct and primary recipient in a cooperative agreement program must perform a substantial role in carrying out project outcomes and not merely serve as a conduit for an award to another party or provider who is ineligible.
- In accordance with the United States Protecting Life in Global Health Assistance policy, all non-governmental organization (NGO) applicants acknowledge that foreign NGOs that receive funds provided through this award, either as a prime recipient or subrecipient, are strictly prohibited, regardless of the source of funds, from performing abortions as a method of family planning or engaging in any activity that promotes abortion as a method of family planning, or to provide financial support to any other foreign non-governmental organization that conducts such activities. See Additional Requirement (AR) 35 for applicability (<https://www.cdc.gov/grants/additionalrequirements/ar-35.html>).

#### **Indirect Costs:**

Indirect costs are approved based on the negotiated indirect cost rate agreement dated December 19, 2016, which calculates indirect costs as follows, a Provisional is approved at a rate of 13.31% of the base, as shown in your agreement. The effective dates of this indirect cost rate are from July 1, 2018 to until amended.

#### **REPORTING REQUIREMENTS**

**Performance Progress and Monitoring:** Performance information collection initiated under this grant/cooperative agreement has been approved by the Office of Management and Budget under **OMB Number 0920-1132, “Performance Progress and Monitoring Report”, Expiration Date 8/31/2019**. The components of the PPMR are available for download at: <https://www.cdc.gov/grants/alreadyhavegrant/Reporting.html>.

**Required Disclosures for Federal Awardee Performance and Integrity Information System (FAPIIS):** Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the CDC, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the CDC and to the HHS OIG at the following addresses:

Freda Johnson, Grants Management Officer/Specialist

Centers for Disease Control and Prevention

**Infectious Disease Services Branch**

**2939 Flowers Road, MS TV2**

**Atlanta, GA 30341**

Fax: 770-488-2640 (Include "Mandatory Grant Disclosures" in subject line)

Email: [WVE2@CDC.GOV](mailto:WVE2@CDC.GOV) (Include "Mandatory Grant Disclosures" in subject line)

AND

U.S. Department of Health and Human Services  
Office of the Inspector General  
ATTN: Mandatory Grant Disclosures, Intake Coordinator  
330 Independence Avenue, SW  
Cohen Building, Room 5527  
Washington, DC 20201

Fax: (202)-205-0604 (Include "Mandatory Grant Disclosures" in subject line) or

Email: [MandatoryGranteeDisclosures@oig.hhs.gov](mailto:MandatoryGranteeDisclosures@oig.hhs.gov)

Recipients must include this mandatory disclosure requirement in all subawards and contracts under this award.

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371. Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180 and 376, and 31 U.S.C. 3321).

CDC is required to report any termination of a federal award prior to the end of the period of performance due to material failure to comply with the terms and conditions of this award in the OMB-designated integrity and performance system accessible through SAM (currently FAPIIS). (45 CFR 75.372(b)) CDC must also notify the recipient if the federal award is terminated for failure to comply with the federal statutes, regulations, or terms and conditions of the federal award. (45 CFR 75.373(b))

#### **PAYMENT INFORMATION**

*The HHS Office of the Inspector General (OIG) maintains a toll-free number (1-800-HHS-TIPS [1-800-447-8477]) for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Information also may be submitted by e-mail to [hhstips@oig.hhs.gov](mailto:hhstips@oig.hhs.gov) or by mail to Office of the Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington DC 20201. Such reports are treated as sensitive material and submitters may decline to give their names if they choose to remain anonymous.*

**Payment Management System Subaccount:** Funds awarded in support of approved activities have been obligated in a newly established subaccount in the PMS, herein identified as the "P Account". Funds must be used in support of approved activities in the NOFO and the approved application. All award funds must be tracked and reported separately.

The grant document number identified on the bottom of Page 1 of the Notice of Award must be known in order to draw down funds.

Subaccount Title: 19NH23IP922629

#### **CDC Staff Contacts**

**Grants Management Specialist:** The GMS is the federal staff member responsible for the day-to-day management of grants and cooperative agreements. The GMS is the primary contact of recipients for business and administrative matters pertinent to grant awards.

**GMS Contact:**

Freda Johnson, Grants Management Specialist  
Centers for Disease Control and Prevention  
Infectious Disease Services Branch  
2939 Flowers Road, MS TV2  
Atlanta, GA 30341  
Telephone: 770-488-3107  
Fax: 770-488-2640  
Email: Fjohnson5@cdc.gov

**Program/Project Officer:** The PO is the federal official responsible for monitoring the programmatic, scientific, and/or technical aspects of grants and cooperative agreements, as well as contributing to the effort of the award under cooperative agreements.

**Grants Management Officer:** The GMO is the federal official responsible for the business and other non-programmatic aspects of grant awards. The GMO is the only official authorized to obligate federal funds and is responsible for signing the NOA, including revisions to the NOA that change the terms and conditions. The GMO serves as the counterpart to the business officer of the recipient organization. GMO contact information is located on Page 1 of this NOA.

# EXHIBIT H



# DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

## Notice of Award

Award# 6 NH23IP922629-05-11

FAIN# NH23IP922629

Federal Award Date: 03/24/2025

### Recipient Information

#### 1. Recipient Name

PUBLIC HEALTH, MASSACHUSETTS  
DEPARTMENT OF  
250 Washington St  
Infectious Disease & Lab Sci  
Boston, MA 02108-4603  
[NO DATA]

#### 2. Congressional District of Recipient

08

#### 3. Payment System Identifier (ID)

1046002284B7

#### 4. Employer Identification Number (EIN)

046002284

#### 5. Data Universal Numbering System (DUNS)

878298900

#### 6. Recipient's Unique Entity Identifier (UEI)

DLKMR1QVDX34

#### 7. Project Director or Principal Investigator

Mr. Pejman Talebian  
Pejman.Talebian@state.ma.us  
617-983-6880

#### 8. Authorized Official

Ms. Eileen M Sullivan  
Chief Operating Officer  
eileen.m.sullivan@mass.gov  
617-624-5257

#### Federal Agency Information

CDC Office of Financial Resources

#### 9. Awarding Agency Contact Information

Wayne Woods  
kuv1@cdc.gov  
770-488-2948

#### 10. Program Official Contact Information

Divya Cassity  
PBEMB CoAg Specialist  
kyq4@cdc.gov  
404.718.8962

#### 30. Remarks

Department Authority

### Federal Award Information

#### 11. Award Number

6 NH23IP922629-05-11

#### 12. Unique Federal Award Identification Number (FAIN)

NH23IP922629

#### 13. Statutory Authority

Sections 317, 317(k)(2) of the Public Health Service Act (42 U.S.C. Sections 247b, 247b(k)(2) and 247c), as amended.

#### 14. Federal Award Project Title

CDC-RFA-IP19-1901 Immunization and Vaccines for Children

#### 15. Assistance Listing Number

93.268

#### 16. Assistance Listing Program Title

Immunization Cooperative Agreements

#### 17. Award Action Type

Administrative Action

#### 18. Is the Award R&D?

No

### Summary Federal Award Financial Information

#### 19. Budget Period Start Date 07/01/2023 - End Date 03/24/2025

#### 20. Total Amount of Federal Funds Obligated by this Action \$0.00

20a. Direct Cost Amount \$0.00

20b. Indirect Cost Amount \$0.00

#### 21. Authorized Carryover \$14,748,668.00

#### 22. Offset \$1,626,869.00

#### 23. Total Amount of Federal Funds Obligated this budget period \$22,663,178.00

#### 24. Total Approved Cost Sharing or Matching, where applicable \$0.00

#### 25. Total Federal and Non-Federal Approved this Budget Period \$22,663,178.00

#### 26. Period of Performance Start Date 07/01/2019 - End Date 03/24/2025

#### 27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance \$196,337,791.00

#### 28. Authorized Treatment of Program Income

ADDITIONAL COSTS

#### 29. Grants Management Officer - Signature

Percy Jernigan



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Centers for Disease Control and Prevention

Notice of Award

Award# [6 NH23IP922629-05-11](#)

FAIN# [NH23IP922629](#)

Federal Award Date: [03/24/2025](#)

**Recipient Information**

**Recipient Name**

PUBLIC HEALTH, MASSACHUSETTS  
DEPARTMENT OF  
250 Washington St  
Infectious Disease & Lab Sci  
Boston, MA 02108-4603

[NO DATA]  
**Congressional District of Recipient**

08

**Payment Account Number and Type**

1046002284B7

**Employer Identification Number (EIN) Data**

046002284

**Universal Numbering System (DUNS)**

878298900

**Recipient's Unique Entity Identifier (UEI)**

DLKMR1QVDX34

**31. Assistance Type**

Cooperative Agreement

**32. Type of Award**

Other

**33. Approved Budget**

(Excludes Direct Assistance)

I. Financial Assistance from the Federal Awarding Agency Only	
II. Total project costs including grant funds and all other financial participation	
a. Salaries and Wages	\$10,934,848.00
b. Fringe Benefits	\$4,965,124.00
c. Total Personnel Costs	\$15,899,972.00
d. Equipment	\$0.00
e. Supplies	\$145,655.00
f. Travel	\$117,054.00
g. Construction	\$0.00
h. Other	\$2,074,918.00
i. Contractual	\$19,707,742.00
j. TOTAL DIRECT COSTS	\$37,945,341.00
k. INDIRECT COSTS	\$1,093,374.00
l. TOTAL APPROVED BUDGET	\$39,038,715.00
m. Federal Share	\$39,038,715.00
n. Non-Federal Share	\$0.00

**34. Accounting Classification Codes**

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	ASSISTANCE LISTING	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
1-9390FG3	20NH23IP922629C3	IP	41.51	93.268		\$0.00 75-2024-0943
1-9390GKL	20NH23IP922629C5	IP	41.51	93.268		\$0.00 75-2124-0943
1-9390GUU	20NH23IP922629UDSPC5	IP	41.51	93.268		\$0.00 75-2124-0943
1-9390GWA	20NH23IP922629C6	IP	41.51	93.268		\$0.00 75-X-0943



# DEPARTMENT OF HEALTH AND HUMAN SERVICES Notice of Award

Centers for Disease Control and Prevention

Award# 6 NH23IP922629-05-11

FAIN# NH23IP922629

Federal Award Date: 03/24/2025

## Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$ 0.00	\$ 0.00	\$ 0.00
Fringe Benefits	\$ 0.00	\$ 0.00	\$ 0.00
Travel	\$ 0.00	\$ 0.00	\$ 0.00
Equipment	\$ 0.00	\$ 0.00	\$ 0.00
Supplies	\$ 0.00	\$ 0.00	\$ 0.00
Contractual	\$ 0.00	\$ 0.00	\$ 0.00
Construction	\$ 0.00	\$ 0.00	\$ 0.00
Other	\$ 0.00	\$ 0.00	\$ 0.00
Total	\$ 0.00	\$ 0.00	\$ 0.00

## **AWARD ATTACHMENTS**

PUBLIC HEALTH, MASSACHUSETTS DEPARTMENT OF

6 NH23IP922629-05-11

- 
1. Terms and Conditions for termination

## **TERMS AND CONDITIONS OF AWARD**

**Termination:** The purpose of this amendment is to terminate the use of any remaining COVID-19 funding associated with this award. The termination of this funding is for cause. HHS regulations permit termination if “the non-Federal entity fails to comply with the terms and conditions of the award”, or separately, “for cause.” The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of use of funding under the listed document number(s) is effective as of the date set out in your Notice of Award.

Impacted document numbers are included on page 2 of this Notice of Award (NoA).

No additional activities can be conducted, and no additional costs may be incurred, as it relates to these funds. Unobligated award balances of COVID-19 funding will be de-obligated by CDC. Award activities under other funding may continue consistent with the terms and conditions of the award.

**Final Federal Financial Report (FFR, SF-425):** Within 30 days please submit final FFR's for impacted document numbers. The FFR should only include those funds authorized and expended during the timeframe covered by the report. The final report must indicate the exact balance of unobligated funds and may not reflect any unliquidated obligations. Should the amount not match with the final expenditures reported to the Payment Management System (PMS), you will be required to update your reports to PMS accordingly.

**All other terms and conditions of this award remain in effect.**

# EXHIBIT I



**Department of Health and Human Services**  
Substance Abuse and Mental Health Services Administration  
Center for Substance Abuse Treatment

**Notice of Award**  
FAIN# B08TI083946  
**Federal Award Date**  
05/17/2021

**Recipient Information**

**1. Recipient Name**

MASSACHUSETTS, COMMONWEALTH OF  
1 ASHBURTON PLACE FL 9  
  
BOSTON, MA 02108

**2. Congressional District of Recipient**

08

**3. Payment System Identifier (ID)**

1046002284B7

**4. Employer Identification Number (EIN)**

046002284

**5. Data Universal Numbering System (DUNS)**

073130932

**6. Recipient's Unique Entity Identifier**

**7. Project Director or Principal Investigator**

Dierdre Calvert

**8. Authorized Official**

deirdre.c.calvert@massmail.state.ma.us

**Federal Agency Information**

**9. Awarding Agency Contact Information**

Wendy Pang  
Grants Management Specialist  
Center for Substance Abuse Treatment  
wendy.pang@samhsa.hhs.gov  
(240) 276-1419

**10. Program Official Contact Information**

Spencer Clark  
  
Center for Substance Abuse Treatment  
Spencer.Clark@samhsa.hhs.gov  
240-276-1027

**Federal Award Information**

**11. Award Number**

1B08TI083946-01

**12. Unique Federal Award Identification Number (FAIN)**

B08TI083946

**13. Statutory Authority**

Subparts II&III,B,Title XIX,PHS Act/45 CFR Part96

**14. Federal Award Project Title**

Substance Abuse Prevention & Treatment Block Grant

**15. Assistance Listing Number**

93.959

**16. Assistance Listing Program Title**

Block Grants for Prevention and Treatment of Substance Abuse

**17. Award Action Type**

New Competing

**18. Is the Award R&D?**

No

**Summary Federal Award Financial Information**

**19. Budget Period Start Date 09/01/2021 – End Date 09/30/2025**

<b>20. Total Amount of Federal Funds Obligated by this Action</b>	\$32,254,331
20 a. Direct Cost Amount	\$32,254,331
20 b. Indirect Cost Amount	\$0
<b>21. Authorized Carryover</b>	
<b>22. Offset</b>	

23. Total Amount of Federal Funds Obligated this budget period \$32,254,331

24. Total Approved Cost Sharing or Matching, where applicable \$0

25. Total Federal and Non-Federal Approved this Budget Period \$32,254,331

**26. Project Period Start Date 09/01/2021 – End Date 09/30/2025**

<b>27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Project Period</b>	\$32,254,331
--	--------------

**28. Authorized Treatment of Program Income**

Additional Costs

**29. Grants Management Officer - Signature**

Odessa Crocker

**30. Remarks**

Acceptance of this award, including the "Terms and Conditions," is acknowledged by the recipient when funds are drawn down or otherwise requested from the grant payment system.



SABG  
Department of Health and Human Services  
Substance Abuse and Mental Health Services Administration  
Center for Substance Abuse Treatment

---

Notice of Award

**Issue Date:** 05/17/2021

**Award Number:** 1B08TI083946-01

**FAIN:** B08TI083946-01

**Contact Person:** Dierdre Calvert

**Program:** Substance Abuse Prevention & Treatment Block Grant

MASSACHUSETTS, COMMONWEALTH OF  
1 ASHBURTON PLACE FL 9

BOSTON, MA 02108

**Award Period:** 09/01/2021 – 09/30/2025

Dear Grantee:

The Substance Abuse and Mental Health Services Administration hereby awards a grant in the amount of \$32,254,331 (see “Award Calculation” in Section I) to MASSACHUSETTS, COMMONWEALTH OF in support of the above referenced project. This award is pursuant to the authority of Subparts II&III,B,Title XIX,PHS Act/45 CFR Part96 and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Acceptance of this award including the “Terms and Conditions” is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact your Grants Management Specialist and your Government Project Officer listed in your terms and conditions.

Sincerely yours,  
Odessa Crocker  
Grants Management Officer  
Division of Grants Management

See additional information below

---

## **SECTION I – AWARD DATA – 1B08TI083946-01**

<b>FEDERAL FUNDS APPROVED:</b>	\$32,254,331
<b>AMOUNT OF THIS ACTION (FEDERAL SHARE):</b>	\$32,254,331
<b>CUMULATIVE AWARDS TO DATE:</b>	\$32,254,331
<b>UNAWARDED BALANCE OF CURRENT YEAR'S FUNDS:</b>	\$0

### **Fiscal Information:**

<b>CFDA Number:</b>	93.959
<b>EIN:</b>	1046002284B
	7
<b>Document Number:</b>	21B1MASAP
<b>Fiscal Year:</b>	TC6
	2021

IC	CAN	01
TI	C96D570	\$32,254,331

**PCC: SAPT / OC: 4115**

---

## **SECTION II – PAYMENT/HOTLINE INFORMATION – 1B08TI083946-01**

Payments under this award will be made available through the HHS Payment Management System (PMS). PMS is a centralized grants payment and cash management system, operated by the HHS Program Support Center (PSC), Division of Payment Management (DPM). Inquiries regarding payment should be directed to: The Division of Payment Management System, PO Box 6021, Rockville, MD 20852, Help Desk Support – Telephone Number: 1-877-614-5533.

The HHS Inspector General maintains a toll-free hotline for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. The telephone number is: 1-800-HHS-TIPS (1-800-447-8477). The mailing address is: Office of Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington, DC 20201.

---

## **SECTION III – TERMS AND CONDITIONS – 1B08TI083946-01**

### **STANDARD TERMS AND CONDITIONS**

#### **SABG FY2021 ARPA funding**

#### **Remarks:**

This Notice of Award (NoA) provides American Rescue Plan Act (ARPA) Supplemental Funding for the Substance Abuse Prevention and Treatment (SABG) Block Grant Program, in accordance with H.R. 1319 - American Rescue Plan Act of 2021. Consistent with HHS Disaster Relief Flexibilities, SAMHSA may waive requirements with respect to allowable activities, timelines, or reporting requirements for the SABG as deemed necessary to facilitate a grantee's response to coronavirus.

A proposal of the state's spending plan must be submitted by July 2, 2021 via the Web Block Grant Application System (WebBGAS). Using the WebBGAS Revision Request for the FFY 2021 Block Grant Application, grantees are required to upload the Plan document (Microsoft Word or pdf), using the associated tab in the State Information Section, Chief Executive Officer's Funding Agreement – Certifications and Assurances/Letter Designating Signatory Authority [SA]. Please title this document "ARPA Funding Plan 2021-SA" (States must upload separate proposals based on MHBG and SABG guidance into the WebBGAS system).

Further information on this is included in the letter from Acting Assistant Secretary for Mental Health and Substance Use, Tom Coderre.

### **Standard Terms of Award:**

#### **1) Acceptance of the Terms of an Award**

By drawing or otherwise obtaining funds from the HHS Payment Management System, the recipient acknowledges acceptance of the terms and conditions of the award and is obligated to perform in accordance with the requirements of the award. Except for any waiver granted explicitly elsewhere in this section, this award does not constitute approval for waiver of any Federal statutory/regulatory requirements for a SABG. Once a recipient accepts an award, the contents of the Notice of Award (NoA) are binding on the recipient unless and until modified by a revised NoA signed by the GMO.

#### **Certification Statement:**

By drawing down funds, The recipient agrees to abide by the statutory requirements of all sections of the Substance Abuse Prevention and Treatment Block Grant (SABG) (Public Health Service Act, Sections 1921-1935 and sections 1941-1957) (42 U.S.C. 300x-21-300x-35 and 300x-51-300x-67, as amended), and other administrative and legal requirements as applicable for the duration of the award.

#### **2) Availability of Funds**

Funds provided under this grant must be obligated and expended by September 30, 2025.

#### **3) Fiscal and administrative requirements**

This NoA issued is subject to the administrative requirements for HHS block grants under 45 CFR Part 96, as applicable, and 45 CFR Part 75, as specified. Except for section 75.202 of Subpart C, and sections 75.351 through 75.353 of Subpart D, the requirements in Subpart C, Subpart D, and Subpart E do not apply to this program (reference 45 CFR Part 75 Subpart B, 75.101(d)).

**Fiscal control and accounting procedures** - Fiscal control and accounting procedures must be sufficient to (a) permit preparation of reports required by the statute authorizing the block grant and (b) permit the tracing of funds to a level of expenditure adequate to establish that such funds have not been used in violation of the restrictions and prohibitions of the statute authorizing the block grant.

ARPA funding is being issued under a separate grant award number and has a unique subaccount in the Payment Management System. Accordingly, ARPA funds must be tracked and reported separately from other FY 2021 awarded funds, including COVID-19 Supplemental funding and the Annual Block Grant Allotment.

**Audits** - Grantees and subgrantees are responsible for obtaining audits in accordance with the Single Audit Act Amendments of 1996 (31 U.S.C. 7501-7507) and revised OMB Circular A-133, “Audits of State, Local Governments, and Non-Profit Organizations.” The audits shall be made by an independent auditor in accordance with generally accepted Government auditing standards covering financial audits.

Except for any waiver granted explicitly elsewhere in this section, this award does not constitute approval for waiver of any Federal statutory/regulatory requirements for a SABG.

#### **4) Flow-down of requirements to sub-recipients**

The grantee, as the awardee organization, is legally and financially responsible for all aspects of this award including funds provided to sub-recipients, in accordance with 45 CFR 75.351-75.353, Sub-recipient monitoring and management.

#### **5) Executive Pay**

The Consolidated Appropriations Act, 2021 (Public Law 116-260), signed into law on December 27, 2020 restricts the amount of direct salary to Executive Level II of the Federal Executive Pay scale. Effective January 3, 2021, the salary limitation for Executive Level II is \$199,300.

For awards issued prior to this change, if adequate funds are available in active awards, and if the salary cap increase is consistent with the institutional base salary, recipients may re-budget to accommodate the current Executive Level II salary level. However, no additional funds will be provided to these grant awards.

#### **6) Marijuana Restriction:**

Grant funds may not be used, directly or indirectly, to purchase, prescribe, or provide marijuana or treatment using marijuana. Treatment in this context includes the treatment of opioid use disorder. Grant funds also cannot be provided to any individual who or organization that provides or permits marijuana use for the purposes of treating substance use or mental disorders. See, e.g., 45 C.F.R. 75.300(a) (requiring HHS to ensure that Federal funding is expended . . . in full accordance with U.S. statutory . . . requirements.); 21 U.S.C. 812(c)(10) and 841 (prohibiting the possession, manufacture, sale, purchase or distribution of marijuana). This prohibition does not apply to those providing such treatment in the context of clinical research permitted by the DEA and under an FDA-approved investigational new drug application where the article being evaluated is marijuana or a constituent thereof that is otherwise a banned controlled substance under federal law.

## **7) SAM and DUNS Requirements**

THIS AWARD IS SUBJECT TO REQUIREMENTS AS SET FORTH IN 2 CFR 25.110 CENTRAL CONTRACTOR REGISTRATION CCR (NOW SAM) AND DATA UNIVERSAL NUMBER SYSTEM (DUNS) NUMBERS. 2 CFR Part 25 - Appendix A4

### System of Award Management (SAM) and Universal Identifier Requirements

#### A. Requirement for System of Award Management:

Unless you are exempted from this requirement under 2 CFR 25.110, you, as the recipient, must maintain the currency of your information in the SAM, until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

#### B. Requirement for unique entity identifier If you are authorized (reference project description) to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you, unless the entity has provided its unique entity identifier to you.
2. May not make a subaward to an entity, unless the entity has provided its unique entity identifier to you.

#### C. Definitions. For purposes of this award term:

1. System of Award Management (SAM) means the federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at: <http://www.sam.gov>).

2. Unique entity identifier means the identifier required for SAM registration to uniquely identify business entities.

3. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR Part 25, Subpart C:

a. A governmental organization, which is a state, local government, or Indian Tribe; b. A foreign public entity; c. A domestic or foreign nonprofit organization; d. A domestic or foreign for-profit organization; and e. A Federal agency, but only as a sub-recipient under an award or sub-award to a nonfederal entity.

#### 4. Sub-award:

a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible sub-recipient. b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330). c. A sub-award may be provided through any legal agreement, including an agreement that you consider a contract.

5. Sub-recipient means an entity that: a. Receives a sub-award from you under this award; and b. Is accountable to you for the use of the federal funds provided by the sub-award.

## **8) Federal Financial Accountability and Transparency Act (FFATA)**

Reporting Subawards and Executive Compensation, 2 CFR, Appendix A to Part 170

- a. Reporting of first tier subawards.
  1. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).
  2. Where and when to report.
    - i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.
    - ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
  3. What to report. You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.
- b. Reporting Total Compensation of Recipient Executives.
  1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if
    - i. the total Federal funding authorized to date under this award is \$25,000 or more;
    - ii. in the preceding fiscal year, you received (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
    - iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
  2. Where and when to report. You must report executive total compensation described in paragraph b. 1. of this award term:
    - i. As part of your registration profile at <https://www.sam.gov>.
    - ii. By the end of the month following the month in which this award is made, and annually thereafter.
- c. Reporting of Total Compensation of Subrecipient Executives.
  1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly

- compensated executives for the subrecipient's preceding completed fiscal year, if
- i. in the subrecipient's preceding fiscal year, the subrecipient received (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
  - ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c. 1. of this award term:
- i. To the recipient.
  - ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.
- d. Exemptions If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:
- i. Subawards, and
  - ii. The total compensation of the five most highly compensated executives of any subrecipient.
- e. Definitions. For purposes of this award term:
1. Entity means all of the following, as defined in 2 CFR part 25:
    - i. A Governmental organization, which is a State, local government, or Indian tribe;
    - ii. A foreign public entity;
    - iii. A domestic or foreign nonprofit organization;
    - iv. A domestic or foreign for-profit organization;
    - v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
  2. Executive means officers, managing partners, or any other employees in management positions.
  3. Subaward:
    - i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

- ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. \_\_\_. 210 of the attachment to OMB Circular A-133, Audits of States, Local Governments, and Nonprofit Organizations).
  - iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
4. Subrecipient means an entity that: i. Receives a subaward from you (the recipient) under this award; and ii. Is accountable to you for the use of the Federal funds provided by the subaward.
5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
- i. Salary and bonus.
  - ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
  - iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives and are available generally to all salaried employees.
  - iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
  - v. Above-market earnings on deferred compensation which is not tax-qualified. vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000. [75 FR 55669, Sept. 14, 2010, as amended at 79 FR 75879, Dec. 19, 2014]

## **9) Mandatory Disclosures**

Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the HHS Office of Inspector General (OIG), all information related to violations, or suspected violations, of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Subrecipients must disclose, in a timely manner, in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations, or suspected violations, of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Disclosures must be sent in writing to the awarding agency and to the HHS OIG at the following addresses:

U.S. Department of Health and Human Services Office of Inspector General  
ATTN: Mandatory Grant Disclosures, Intake Coordinator 330 Independence Avenue,  
SW, Cohen Building Room5527 Washington, DC 20201  
Fax: (202) 205-0604 (Include "Mandatory Grant Disclosures" in subject line) or email:

**MandatoryGranteeDisclosures@oig.hhs.gov**

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371 remedies for noncompliance, including suspension or debarment (see 2 CFR parts 180 & 376 and 31 U.S.C. 3321).

**10) The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(G)), as amended, and 2 C.F.R. PART 175**

The Trafficking Victims Protection Act of 2000 authorizes termination of financial assistance provided to a private entity, without penalty to the Federal government, if the recipient or subrecipient engages in certain activities related to trafficking in persons. SAMHSA may unilaterally terminate this award, without penalty, if a private entity recipient, or a private entity subrecipient, or their employees: a) Engage in severe forms of trafficking in persons during the period of time that the award is in effect; b) Procure a commercial sex act during the period of time that the award is in effect; or, c) Use forced labor in the performance of the award or subawards under the award. The text of the full award term is available at 2 C.F.R. 175.15(b). See <http://www.gpo.gov/fdsys/pkg/CFR-2012-title2-vol1/pdf/CFR-2012-title2-vol1-sec175-15.pdf>.

**11) Drug-Free Workplace Requirements**

The Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq.) requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. When the AR signed the application, the AR agreed that the recipient will provide a drug-free workplace and will comply with the requirement to notify SAMHSA if an employee is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for debarment. Government wide requirements for Drug-Free Workplace for Financial Assistance are found in 2 CFR part 182; HHS implementing regulations are set forth in 2 CFR part 382.400. All recipients of SAMHSA grant funds must comply with the requirements in Subpart B (or Subpart C if the recipient is an individual) of Part 382.

**12) Lobbying**

No funds provided under the attached Notice of Award (NoA) may be used by you or any sub-recipient under the grant to support lobbying activities to influence proposed or pending federal or state legislation or appropriations. The prohibition relates to the use of federal grant funds and is not intended to affect your right or that of any other organization, to petition Congress or any other level of government, through the use of other nonfederal resources. Reference 45 CFR Part 93.

**13) Accessibility Provisions**

Grant recipients of Federal financial assistance (FFA) from HHS must administer their programs in compliance with Federal civil rights law. This means that recipients of HHS funds must ensure equal access to their programs without regard to a person's race, color, national origin, disability, age, and in some circumstances, sex and religion. This includes ensuring your programs are accessible to persons with limited English proficiency. The HHS Office for Civil Rights also provides guidance on complying with civil rights laws enforced by HHS. Please see

<http://www.hhs.gov/ocr/civilrights/understanding/section1557/index.html>. Recipients of FFA also have specific legal obligations for serving qualified individuals with disabilities. Please see <http://www.hhs.gov/ocr/civilrights/understanding/disability/index.html>. Please contact the HHS Office for Civil Rights for more information about obligations and prohibitions under Federal civil rights laws at <https://www.hhs.gov/civil-rights/index.html> or call 1-800-368-1019 or TDD 1-800-537-7697. Also note that it is an HHS Departmental goal to ensure access to quality, culturally competent care, including long-term services and supports, for vulnerable populations. For further guidance on providing culturally and linguistically appropriate services, recipients should review the National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care at <https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=1&lvlid=6>.

#### **14) Audits**

Non-Federal recipients that expend \$750,000 or more in federal awards during the recipient's fiscal year must obtain an audit conducted for that year in accordance with the provisions of 45 CFR 96.31.

Recipients are responsible for submitting their Single Audit Reports and the Data Collections Forms (SF-FAC) electronically to the Federal Audit Clearinghouse Visit disclaimer page (FAC) within the earlier of 30 days after receipt or nine months after the FY s end of the audit period. The FAC operates on behalf of the OMB.

For specific questions and information concerning the submission process: Visit the Federal Audit Clearinghouse at <https://harvester.census.gov/facweb> or Call FAC at the toll-free number: (800) 253-0696

#### **Reporting Requirements:**

##### **Federal Financial Report (FFR)**

The recipient is required to submit a Federal Financial Report (FFR) 90 days after the close of the performance period (project period). The SF-425 shall report total funds obligated and total funds expended by the grantee.

Effective January 1, 2021, award recipients are required to submit the SF-425 Federal Financial Report (FFR) via the Payment Management System (PMS). If the individual responsible for FFR submission does not already have an account with PMS, please [contact PMS](#) to obtain access.

Recipients must liquidate all obligations incurred under an award not later than ninety (90) days after the end of the award obligation and expenditure period (i.e., the project period) which also coincides with the due date for submission of the FINAL SF-425, *Federal Financial Report* (FFR). After ninety (90) days, letter of credit accounts are locked. SAMHSA does not approve extensions to the ninety (90) day post-award reconciliation/liquidation period. Therefore, recipients are expected to complete all work and reporting within the approved project period and the aforementioned 90-day post-award reconciliation/liquidation period. Recipients (late) withdrawal requests occurring after the aforementioned periods are denied. In rare instances, SAMHSA

may approve an extension to submit a FINAL SF-425 FFR report, but this is *not* an extension of the 90-day post award reconciliation/liquidation period, but rather only an extension to submit the Final SF-425 report (FFR).

### **Annual Report**

Reporting on the ARPA funding is required. States must prepare and submit their respective reports utilizing WebBGAS. Failure to comply with these requirements may cause the initiation of enforcement actions that can culminate in discontinuation of SABG grants.

Your assigned SABG Program Official will provide further guidance and additional submission information.

In accordance with the regulatory requirements provided at 45 CFR 75.113 and Appendix XII to 45 CFR Part 75, recipients that have currently active Federal grants, cooperative agreements, and procurement contracts with cumulative total value greater than \$10,000,000 must report and maintain information in the System for Award Management (SAM) about civil, criminal, and administrative proceedings in connection with the award or performance of a Federal award that reached final disposition within the most recent five-year period. The recipient must also make semiannual disclosures regarding such proceedings. Proceedings information will be made publicly available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). Full reporting requirements and procedures are found in Appendix XII to 45 CFR Part 75.

### **Staff Contacts:**

Spencer Clark, Program Official  
**Phone:** 240-276-1027 **Email:** Spencer.Clark@samhsa.hhs.gov

Wendy Pang, Grants Specialist  
**Phone:** (240) 276-1419 **Email:** wendy.pang@samhsa.hhs.gov **Fax:** (240) 276-1430

## EXHIBIT J



**Department of Health and Human Services**  
Substance Abuse and Mental Health Services Administration  
Center for Substance Abuse Treatment

**Notice of Award**  
FAIN# B08TI084586  
**Federal Award Date**  
08/10/2021

**Recipient Information**

**1. Recipient Name**

MASSACHUSETTS, COMMONWEALTH OF  
1 ASHBURTON PLACE FL 9  
  
BOSTON, MA 02108

**2. Congressional District of Recipient**

08

**3. Payment System Identifier (ID)**

1046002284B7

**4. Employer Identification Number (EIN)**

046002284

**5. Data Universal Numbering System (DUNS)**

073130932

**6. Recipient's Unique Entity Identifier**

**7. Project Director or Principal Investigator**  
Dierdre Calvert  
  
deirdre.c.calvert@massmail.state.ma.us

**8. Authorized Official**

deirdre.c.calvert@massmail.state.ma.us

**Federal Agency Information**

**9. Awarding Agency Contact Information**

Wendy Pang  
Grants Management Specialist  
Center for Substance Abuse Treatment  
wendy.pang@samhsa.hhs.gov  
(240) 276-1419

**10. Program Official Contact Information**

Spencer Clark  
  
Center for Substance Abuse Treatment  
Spencer.Clark@samhsa.hhs.gov  
240-276-1027

**Federal Award Information**

**11. Award Number**

1B08TI084586-01

**12. Unique Federal Award Identification Number (FAIN)**

B08TI084586

**13. Statutory Authority**

Subparts II&III,B,Title XIX,PHS Act/45 CFR Part96

**14. Federal Award Project Title**

Substance Abuse Prevention & Treatment Block Grant

**15. Assistance Listing Number**

93.959

**16. Assistance Listing Program Title**

Block Grants for Prevention and Treatment of Substance Abuse

**17. Award Action Type**

New Competing

**18. Is the Award R&D?**

No

**Summary Federal Award Financial Information**

**19. Budget Period Start Date 09/01/2021 – End Date 09/30/2025**

<b>20. Total Amount of Federal Funds Obligated by this Action</b>	\$1,120,601
20 a. Direct Cost Amount	\$1,120,601
20 b. Indirect Cost Amount	\$0
<b>21. Authorized Carryover</b>	
<b>22. Offset</b>	

**23. Total Amount of Federal Funds Obligated this budget period** \$1,120,601

**24. Total Approved Cost Sharing or Matching, where applicable** \$0

**25. Total Federal and Non-Federal Approved this Budget Period** \$1,120,601

**26. Project Period Start Date 09/01/2021 – End Date 09/30/2025**

<b>27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Project Period</b>	\$1,120,601
--	-------------

**28. Authorized Treatment of Program Income**

Additional Costs

**29. Grants Management Officer - Signature**

Odessa Crocker

**30. Remarks**

Acceptance of this award, including the "Terms and Conditions," is acknowledged by the recipient when funds are drawn down or otherwise requested from the grant payment system.



SABG  
Department of Health and Human Services  
Substance Abuse and Mental Health Services Administration  
Center for Substance Abuse Treatment

---

Notice of Award

**Issue Date:** 08/10/2021

**Award Number:** 1B08TI084586-01

**FAIN:** B08TI084586-01

**Contact Person:** Dierdre Calvert

**Program:** Substance Abuse Prevention & Treatment Block Grant

MASSACHUSETTS, COMMONWEALTH OF  
1 ASHBURTON PLACE FL 9

BOSTON, MA 02108

**Award Period:** 09/01/2021 – 09/30/2025

Dear Grantee:

The Substance Abuse and Mental Health Services Administration hereby awards a grant in the amount of \$1,120,601 (see “Award Calculation” in Section I) to MASSACHUSETTS, COMMONWEALTH OF in support of the above referenced project. This award is pursuant to the authority of Subparts II&III,B,Title XIX,PHS Act/45 CFR Part96 and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Acceptance of this award including the “Terms and Conditions” is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact your Grants Management Specialist and your Government Project Officer listed in your terms and conditions.

Sincerely yours,  
Odessa Crocker  
Grants Management Officer  
Division of Grants Management

See additional information below

---

## **SECTION I – AWARD DATA – 1B08TI084586-01**

<b>FEDERAL FUNDS APPROVED:</b>	\$1,120,601
<b>AMOUNT OF THIS ACTION (FEDERAL SHARE):</b>	\$1,120,601
<b>CUMULATIVE AWARDS TO DATE:</b>	\$1,120,601
<b>UNAWARDED BALANCE OF CURRENT YEAR'S FUNDS:</b>	\$0

### **Fiscal Information:**

<b>CFDA Number:</b>	93.959
<b>EIN:</b>	1046002284B
	7
<b>Document Number:</b>	21B3MASAP
<b>Fiscal Year:</b>	TC6
	2021

IC	CAN	01
SU	C96D212	\$1,120,601

**PCC: SAPT / OC: 4115**

---

## **SECTION II – PAYMENT/HOTLINE INFORMATION – 1B08TI084586-01**

Payments under this award will be made available through the HHS Payment Management System (PMS). PMS is a centralized grants payment and cash management system, operated by the HHS Program Support Center (PSC), Division of Payment Management (DPM). Inquiries regarding payment should be directed to: The Division of Payment Management System, PO Box 6021, Rockville, MD 20852, Help Desk Support – Telephone Number: 1-877-614-5533.

The HHS Inspector General maintains a toll-free hotline for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. The telephone number is: 1-800-HHS-TIPS (1-800-447-8477). The mailing address is: Office of Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington, DC 20201.

---

## **SECTION III – TERMS AND CONDITIONS – 1B08TI084586-01**

### **STANDARD TERMS AND CONDITIONS**

#### **SABG FY2021 ARP Mitigation**

**Remarks:**

This Notice of Award (NoA) provides one-time funding made available by the American Rescue Plan Act of 2021, in accordance with H.R. 1319 – American Rescue Plan Act of 2021 the ARPA Act, 2021 [P.L. 117-2], available at <https://www.congress.gov/117/bills/hr1319/BILLS-117hr1319enr.pdf>.

This funding is available to expand dedicated testing and mitigation resources for people with mental health and substance use disorders. These funds will provide resources and flexibility for states to prevent, prepare for, and respond to the coronavirus disease 2019 (COVID-19) public health emergency and ensure the continuity of services to support individuals connected to the behavioral health system.

**Required Plan Submission:**

**Due by October 1, 2021. COVID-19 Response Workplan and Overview**

States must submit separate plans for expending these funds for both MHBG and SABG. States must explain the types of activities, including expenditures. Provide a detailed plan on how the state plan to implement COVID-19 testing and mitigation activities within the public mental health and or substance abuse system.

**Due by October 1, 2021. COVID-19 Response Budget and Budget Justification**

States must submit a budget and a budget justification capturing all expenses, including costs for administration at the state level and a plan to distribute it to providers, and subsequent reasons for the expenses in narrative format.

Using the WebBGAS Revision Request for the FFY 2021 Block Grant Application, upload the document (Microsoft Word or pdf) using the tab into the State Information Section, Chief Executive Officer's Funding Agreement – Certifications and Assurances/Letter Designating Signatory Authority. Please title this document "COVID Mitigation Funding Plan 2021(MH)" for MHBG and "COVID Mitigation Funding Plan 2021 (SA)" for SABG."

States must upload separate proposals based on Mental Health Block Grant and Substance Abuse Block Grant guidance into the WebBGAS system. Upon submission, SAMHSA will review the proposal to ensure it is complete and responsive. Proposals must be submitted to WebBGAS by Friday, October 1, 2021.

**Standard Terms of Award:**

**1) Acceptance of the Terms of an Award**

By drawing or otherwise obtaining funds from the HHS Payment Management System, the recipient acknowledges acceptance of the terms and conditions of the award and is obligated to perform in accordance with the requirements of the award. Once an award is accepted by a recipient, the contents of the Notice of Award (NoA) are binding on the recipient unless and until modified by a revised NoA signed by the GMO.

**2) Official Form Designee**

The States Chief Executive Officer, or authorized designee is considered the official form designee for this grant. The SAMHSA GMS and the SABG Program Officer

must be notified immediately before any changes in this key position are made. Please note that individuals that are suspended or debarred are prohibited from serving on Federal grant awards.

### **3) Availability of Funds**

Funds provided under this grant must be obligated and expended by September 30, 2025.

### **4) Fiscal and administrative requirements**

This award is subject to the administrative requirements for HHS block grants under 45 CFR Part 96, Subpart C, and 45 CFR Part 75, as specified. Except for section 75.202 of Subpart C, and sections 75.351 through 75.353 of Subpart D, the requirements in Subpart C, Subpart D, and Subpart E do not apply to this program (reference 45 CFR Part 75 Subpart B, 75.101(d)).

***Fiscal control and accounting procedures*** - Fiscal control and accounting procedures must be sufficient to (a) permit preparation of reports required by the statute authorizing the block grant and (b) permit the tracing of funds to a level of expenditure adequate to establish that such funds have not been used in violation of the restrictions and prohibitions of the statute authorizing the block grant.

**Audits - Grantees and subgrantees are responsible for obtaining audits in accordance with the Single Audit Act Amendments of 1996 (31 U.S.C. 7501-7507) and revised OMB Circular A-133, “Audits of State, Local Governments, and Non-Profit Organizations.” The audits shall be made by an independent auditor in accordance with generally accepted Government auditing standards covering financial audits.**

**Financial settlement - The State must repay to the Department amounts found after audit resolution to have been expended improperly. In the event that repayment is not made voluntarily, the Department will undertake recovery.**

### **5) Flow-down of requirements to sub-recipients**

The grantee, as the awardee organization, is legally and financially responsible for all aspects of this award including funds provided to sub-recipients, in accordance with 45 CFR 75.351 75.353, Sub-recipient monitoring and management.

### **6) Executive Pay**

The Consolidated Appropriations Act, 2021 (Public Law 116-260), signed into law on December 27, 2020 restricts the amount of direct salary to Executive Level II of the Federal Executive Pay scale. Effective January 3, 2021, the salary limitation for Executive Level II is \$199,300.

For awards issued prior to this change, if adequate funds are available in active awards, and if the salary cap increase is consistent with the institutional base salary, recipients may re-budget to accommodate the current Executive Level II salary level. However, no additional funds will be provided to these grant awards.

### **7) Marijuana Restriction**

SAMHSA grant funds may not be used to purchase, prescribe, or provide

marijuana or treatment using marijuana. See, e.g., 45 C.F.R. 75.300(a) (requiring HHS to ensure that Federal funding is expended in full accordance with U.S. statutory and public policy requirements); 21 U.S.C. 812(c)(10) and 841 (prohibiting the possession, manufacture, sale, purchase or distribution of marijuana).

## **8) Anti-discrimination**

You must administer your project in compliance with federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, disability, age and, in some circumstances, religion, conscience, and sex (including gender identity, sexual orientation, and pregnancy). This includes taking reasonable steps to provide meaningful access to persons with limited English proficiency and providing programs that are accessible to and usable by persons with disabilities. The HHS Office for Civil Rights provides guidance on complying with civil rights laws enforced by HHS. See <https://www.hhs.gov/civil-rights/for-providers/provider-obligations/index.html> and <https://www.hhs.gov/civil-rights/for-individuals/nondiscrimination/index.html>.

- You must take reasonable steps to ensure that your project provides meaningful access to persons with limited English proficiency. For guidance on meeting your legal obligation to take reasonable steps to ensure meaningful access to your programs or activities by limited English proficient individuals, see <https://www.hhs.gov/civil-rights/for-individuals/special-topics/limited-english-proficiency/fact-sheet-guidance/index.html> and <https://www.lep.gov>.
- For information on your specific legal obligations for serving qualified individuals with disabilities, including providing program access, reasonable modifications, and taking appropriate steps to provide effective communication , see <http://www.hhs.gov/ocr/civilrights/understanding/disability/index.html>.
- HHS funded health and education programs must be administered in an environment free of sexual harassment, see <https://www.hhs.gov/civil-rights/for-individuals/sex-discrimination/index.html>.
- For guidance on administering your project in compliance with applicable federal religious nondiscrimination laws and applicable federal conscience protection and associated anti-discrimination laws, see <https://www.hhs.gov/conscience/conscience-protections/index.html> and <https://www.hhs.gov/conscience/religious-freedom/index.html>.

## **9) System for Award Management (SAM)**

### **This award is subject to requirement set forth in 2 CFR 25.110**

Unless you are exempted from this requirement under 2 CFR 25.110, you, as the recipient, must maintain the currency of your information in the SAM, until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term. This requirement flows down to subrecipients and contractors under awards or subawards. SAM website: [\*\*System for Award Management \(SAM\)\*\*](#)

## **10) Federal Financial Accountability and Transparency Act (FFATA)**

### **Reporting Subawards and Executive Compensation, 2 CFR, Appendix A to Part 170**

The Federal Funding Accountability and Transparency Act (FFATA) was signed on September 26, 2006.

Unless you are exempt, you must report each action that obligates \$25,000 or more in Federal funds. The FFATA Subaward Reporting System (FSRS) is the reporting tool federal prime awardees (i.e. prime contractors and prime grants recipients) must use to capture and report subaward and executive compensation data regarding their first-tier subawards to meet the FFATA reporting requirements. Prime contract awardees must report against sub-contracts awarded. Prime grant awardees will report against sub-grants awarded. The sub-award information you enter in FSRS will display on [USA Spending.gov](http://USA Spending.gov) associated with the prime award. This furthers federal spending transparency.

You must report each obligating action to <http://www.fsrs.gov>

## **11) Mandatory Disclosures**

Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the HHS Office of Inspector General (OIG), all information related to violations, or suspected violations, of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Subrecipients must disclose, in a timely manner, in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations, or suspected violations, of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Disclosures must be sent in writing to the awarding agency and to the HHS OIG at the following addresses:

U.S. Department of Health and Human Services Office of Inspector General  
ATTN: Mandatory Grant Disclosures, Intake Coordinator 330 Independence Avenue,  
SW, Cohen Building Room 5527 Washington, DC 20201  
Fax: (202) 205-0604 (Include "Mandatory Grant Disclosures" in subject line) or  
email: [MandatoryGranteeDisclosures@oig.hhs.gov](mailto:MandatoryGranteeDisclosures@oig.hhs.gov)

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371 remedies for noncompliance, including suspension or debarment (see 2 CFR parts 180 & 376 and 31 U.S.C. 3321).

## **12) The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(G)), as amended, and 2 C.F.R. PART 175**

The Trafficking Victims Protection Act of 2000 authorizes termination of financial assistance provided to a private entity, without penalty to the Federal government, if the recipient or subrecipient engages in certain activities related to trafficking in persons. SAMHSA may unilaterally terminate this award, without penalty, if a private entity recipient, or a private entity subrecipient, or their employees: a) Engage in severe forms of trafficking in persons during the period of time that the award is in

effect; b) Procure a commercial sex act during the period of time that the award is in effect; or, c) Use forced labor in the performance of the award or subawards under the award. The text of the full award term is available at 2 C.F.R. 175.15(b). See <http://www.gpo.gov/fdsys/pkg/CFR-2012-title2-vol1/pdf/CFR-2012-title2-vol1-sec175-15.pdf>.

### **13) Drug-Free Workplace Requirements**

The Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq.) requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. When the AR signed the application, the AR agreed that the recipient will provide a drug-free workplace and will comply with the requirement to notify SAMHSA if an employee is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for debarment. Government wide requirements for Drug-Free Workplace for Financial Assistance are found in 2 CFR part 182; HHS implementing regulations are set forth in 2 CFR part 382.400. All recipients of SAMHSA grant funds must comply with the requirements in Subpart B (or Subpart C if the recipient is an individual) of Part 382.

### **14) Lobbying**

No funds provided under the attached Notice of Award (NoA) may be used by you or any sub-recipient under the grant to support lobbying activities to influence proposed or pending federal or state legislation or appropriations. The prohibition relates to the use of federal grant funds and is not intended to affect your right or that of any other organization, to petition Congress or any other level of government, through the use of other nonfederal resources. Reference 45 CFR Part 93.

### **15) Accessibility Provisions**

Grant recipients of Federal financial assistance (FFA) from HHS must administer their programs in compliance with Federal civil rights law. This means that recipients of HHS funds must ensure equal access to their programs without regard to a person's race, color, national origin, disability, age, and in some circumstances, sex and religion. This includes ensuring your programs are accessible to persons with limited English proficiency. The HHS Office for Civil Rights also provides guidance on complying with civil rights laws enforced by HHS. Please see <http://www.hhs.gov/ocr/civilrights/understanding/section1557/index.html>. Recipients of FFA also have specific legal obligations for serving qualified individuals with disabilities. Please see

<http://www.hhs.gov/ocr/civilrights/understanding/disability/index.html>. Please contact the HHS Office for Civil Rights for more information about obligations and prohibitions under Federal civil rights laws at <https://www.hhs.gov/civil-rights/index.html> or call 1-800-368-1019 or TDD 1-800-537-7697. Also note that it is an HHS Departmental goal to ensure access to quality, culturally competent care, including long-term services and supports, for vulnerable populations. For further guidance on providing culturally and linguistically appropriate services, recipients should review the National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care at <https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=1&lvlid=6>.

## **16) Audits**

Non-Federal recipients that expend \$750,000 or more in federal awards during the recipient's fiscal year must obtain an audit conducted for that year in accordance with the provisions of 45 CFR 96.31.

Recipients are responsible for submitting their Single Audit Reports and the Data Collections Forms (SF-FAC) electronically to the Federal Audit Clearinghouse Visit disclaimer page (FAC) within the earlier of 30 days after receipt or nine months after the FY s end of the audit period. The FAC operates on behalf of the OMB.

For specific questions and information concerning the submission process: Visit the Federal Audit Clearinghouse at <https://harvester.census.gov/facweb> or Call FAC at the toll-free number: (800) 253-0696

### **Reporting Requirements:**

#### **Annual Report**

Reporting on the ARPA funding is required. After the end of each fiscal year, a FY annual report is required on December 31, until the funds expire, and states must upload a narrative report including activities and expenditures. States must prepare and submit their respective reports utilizing WebBGAS. Your assigned SABG Program Official will provide further guidance and additional submission information.

Failure to comply with these requirements may cause the initiation of enforcement actions that can culminate in discontinuation of SABG grants.

#### **Federal Financial Report (FFR)**

The recipient is required to submit a Federal Financial Report (FFR) 90 days after the close of the performance period (project period). The SF-425 shall report total funds obligated and total funds expended by the grantee.

Effective January 1, 2021, award recipients are required to submit the SF-425 Federal Financial Report (FFR) via the Payment Management System (PMS). If the individual responsible for FFR submission does not already have an account with PMS, please [contact PMS](#) to obtain access.

Recipients must liquidate all obligations incurred under an award not later than ninety (90) days after the end of the award obligation and expenditure period (i.e., the project period) which also coincides with the due date for submission of the FINAL SF-425, *Federal Financial Report* (FFR). After ninety (90) days, letter of credit accounts are locked. SAMHSA does not approve extensions to the ninety (90) day post-award reconciliation/liquidation period. Therefore, recipients are expected to complete all work and reporting within the approved project period and the aforementioned 90-day post-award reconciliation/liquidation period. Recipients (late) withdrawal requests occurring after the aforementioned periods are denied. In rare instances, SAMHSA may approve an extension to submit a FINAL SF-425 FFR report, but this is *not* an extension of the 90-day post award reconciliation/liquidation period, but rather only an extension to submit the Final SF-425 report (FFR).

In accordance with the regulatory requirements provided at 45 CFR 75.113 and Appendix XII to 45 CFR Part 75, recipients that have currently active Federal grants, cooperative agreements, and procurement contracts with cumulative total value greater than \$10,000,000 must report and maintain information in the System for Award Management (SAM) about civil, criminal, and administrative proceedings in connection with the award or performance of a Federal award that reached final disposition within the most recent five-year period. The recipient must also make semiannual disclosures regarding such proceedings. Proceedings information will be made publicly available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). Full reporting requirements and procedures are found in Appendix XII to 45 CFR Part 75.

**Staff Contacts:**

Spencer Clark, Program Official  
**Phone:** 240-276-1027 **Email:** Spencer.Clark@samhsa.hhs.gov

Wendy Pang, Grants Specialist  
**Phone:** (240) 276-1419 **Email:** wendy.pang@samhsa.hhs.gov **Fax:** (240) 276-1430

# EXHIBIT K



**Department of Health and Human Services**  
Substance Abuse and Mental Health Services Administration  
Center for Substance Abuse Treatment

**Notice of Award**  
FAIN# B08TI083946  
**Federal Award Date**  
03/28/2025

**Recipient Information**

**1. Recipient Name**

THE COMMONWEALTH OF  
MASSACHUSETTS  
1 ASHBURTON PL FL 9  
BOSTON, MA 02108

**2. Congressional District of Recipient**

08

**3. Payment System Identifier (ID)**

1046002284B7

**4. Employer Identification Number (EIN)**

046002284

**5. Data Universal Numbering System (DUNS)**

073130932

**6. Recipient's Unique Entity Identifier**

FXV5JB3EPZ99

**7. Project Director or Principal Investigator**

Dierdre Calvert

deirdre.c.calvert@massmail.state.ma.us

**8. Authorized Official**

Deirdre Calvert

deirdre.c.calvert@massmail.state.ma.us

**Federal Agency Information**

**9. Awarding Agency Contact Information**

Wendy Pang  
Grants Specialist  
wendy.pang@samhsa.hhs.gov  
(240) 276-1419

**10. Program Official Contact Information**

Anthony Provenzano  
Program Official  
anthony.provenzano@samhsa.hhs.gov

**Federal Award Information**

**11. Award Number**

6B08TI083946-01M001

**12. Unique Federal Award Identification Number (FAIN)**

B08TI083946

**13. Statutory Authority**

Subparts II&III,B,Title XIX,PHS Act/45 CFR Part96

**14. Federal Award Project Title**

Substance Abuse Prevention & Treatment Block Grant

**15. Assistance Listing Number**

93.959

**16. Assistance Listing Program Title**

Block Grants for Prevention and Treatment of Substance Abuse

**17. Award Action Type**

Amendment

**18. Is the Award R&D?**

No

**Summary Federal Award Financial Information**

**19. Budget Period Start Date 09/01/2021 – End Date 03/24/2025**

**20. Total Amount of Federal Funds Obligated by this Action**

\$0

20 a. Direct Cost Amount

\$0

20 b. Indirect Cost Amount

\$0

**21. Authorized Carryover**

**22. Offset**

23. Total Amount of Federal Funds Obligated this budget period

\$0

24. Total Approved Cost Sharing or Matching, where applicable

\$0

25. Total Federal and Non-Federal Approved this Budget Period

\$0

**26. Project Period Start Date 09/01/2021 – End Date 03/24/2025**

27. Total Amount of the Federal Award including Approved Cost

\$32,254,331

Sharing or Matching this Project Period

**28. Authorized Treatment of Program Income**

Additional Costs

**29. Grants Management Officer - Signature**

Wendy Pang

**30. Remarks**

Acceptance of this award, including the "Terms and Conditions," is acknowledged by the recipient when funds are drawn down or otherwise requested from the grant payment system.



SABG

Department of Health and Human Services  
Substance Abuse and Mental Health Services Administration

Center for Substance Abuse Treatment

---

Notice of Award

**Issue Date:** 03/28/2025

**Award Number:** 6B08TI083946-01M001

**FAIN:** B08TI083946-01

**Contact Person:** Dierdre Calvert

**Program:** Substance Abuse Prevention & Treatment Block Grant

THE COMMONWEALTH OF MASSACHUSETTS  
1 ASHBURTON PL FL 9

BOSTON, MA 02108

**Award Period:** 09/01/2021 – 03/24/2025

Dear Grantee:

The Substance Abuse and Mental Health Services Administration hereby awards a grant in the amount of \$0 (see "Award Calculation" in Section I) to THE COMMONWEALTH OF MASSACHUSETTS in support of the above referenced project. This award is pursuant to the authority of Subparts II&III,B,Title XIX,PHS Act/45 CFR Part96 and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Acceptance of this award including the "Terms and Conditions" is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact your Grants Management Specialist and your Government Project Officer listed in your terms and conditions.

Sincerely yours,  
Wendy Pang  
Grants Management Officer  
Division of Grants Management  
wendy.pang@samhsa.hhs.gov  
See additional information below

---

**SECTION I – AWARD DATA – 6B08TI083946-01M001**

<b>FEDERAL FUNDS APPROVED:</b>	\$32,254,331
<b>AMOUNT OF THIS ACTION (FEDERAL SHARE):</b>	\$0
<b>CUMULATIVE AWARDS TO DATE:</b>	\$32,254,331
<b>UNAWARDED BALANCE OF CURRENT YEAR'S FUNDS:</b>	\$0

**Fiscal Information:**

<b>CFDA Number:</b>	93.959
<b>EIN:</b>	1046002284B7
<b>Document Number:</b>	21B1MASAPTC6
<b>Fiscal Year:</b>	2021

IC	CAN	01
TI	C96D570	\$0

PCC: SAPT / OC: 4115

---

**SECTION II – PAYMENT/HOTLINE INFORMATION – 6B08TI083946-01M001**

Payments under this award will be made available through the HHS Payment Management System (PMS). PMS is a centralized grants payment and cash management system, operated by the HHS Program Support Center (PSC), Division of Payment Management (DPM). Inquiries regarding payment should be directed to: The Division of Payment Management System, PO Box 6021, Rockville, MD 20852, Help Desk Support – Telephone Number: 1-877-614-5533.

The HHS Inspector General maintains a toll-free hotline for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. The telephone number is: 1-800-HHS-TIPS (1-800-447-8477). The mailing address is: Office of Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington, DC 20201.

---

**SECTION III – TERMS AND CONDITIONS – 6B08TI083946-01M001****REMARKS****Termination of CRSSA & ARP Awards - Non-Discretionary****Block Grant Notice of Award (NoA) Terms for Terminating COVID-19 Awards (CRSSA and ARP)**

During the COVID-19 pandemic, the Substance Abuse and Mental Health Services Administration (SAMHSA) awarded several pandemic-related grants funded by the [Coronavirus Response and Relief Supplemental Appropriations Act](#) (CRRSA) which provided funds to respond to the coronavirus outbreak and the [American Rescue Plan](#) (ARP) Act which provided additional relief to address the continued impact of COVID-19.

The termination of this award is for cause. The block grant provisions at [42 U.S.C. 300x-55](#) permit termination if the state has materially failed to comply with the agreements or other conditions required for the receipt of a grant under the program involved. The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of this award is effective as of 11:59PM EDT, March 24, 2025.

**REPORTING REQUIREMENTS**

In accordance with [45 CFR 96.30 \(4\)](#), block grant award recipients are required to provide a Financial Status Report (FFR) no later than 90 calendar days after March 24, 2025. Recipients must liquidate all obligations incurred under an award no later than 90 calendar days after March 24, 2025, which also coincides with the due date for submission of the FINAL SF-425, Federal Financial Report (FFR). Reimbursements after termination are allowable if the reimbursements result from obligations which were properly incurred on or before March 24, 2025.

Recipients are expected to cease all activities immediately and complete the reconciliation/liquidation process no later than 90 calendar days after the termination effective date. **SAMHSA does not approve extensions to the post-award 90 calendar day reconciliation/liquidation period.**

#### RESTRICTION ON THE DRAWDOWN OF FUNDS

The related Payment Management System account has been restricted from drawing down funding which now requires prior approval from SAMHSA.

#### PAYMENT REQUEST

Reimbursements after termination are allowable for obligations that were properly incurred on or before the effective date of the termination.

To request reimbursement, your organization must email your cognizant Grants Management Specialists (see contact information below) stating the amount requested and certifying in the email that all costs claimed for reimbursement are allowable, allocable, reasonable, and necessary and were incurred on or before the effective date of the termination, in accordance with 45 CFR 96.30 .

All requests for reimbursement must be submitted **no later than 90 calendar days from the effective date of the termination** to [wendy.pang@samhsa.hhs.gov](mailto:wendy.pang@samhsa.hhs.gov), [katrina.morgan@samhsa.hhs.gov](mailto:katrina.morgan@samhsa.hhs.gov), and [SAMHSAGrants@samhsa.hhs.gov](mailto:SAMHSAGrants@samhsa.hhs.gov). If approved, a follow-up email will be sent to you to submit your payment request to PMS only requesting the amount approved in SAMHSA's email response. Once you submit your payment request to PMS it will be reviewed for accuracy and either approved for drawdown or returned. SAMHSA does not approve extensions to the 90-calendar day post-award reconciliation/liquidation period.

As a reminder, PMS introduced a new mandatory field in the payment request screen at the subaccount level. This field, limited to 1,000 characters, will capture a justification from the grant recipient explaining the purpose of the payment request.

#### **Opportunity for Hearing:**

Block grant recipients may request a hearing to dispute this decision by submitting a written notice to the Substance Abuse and Mental Health Services Administration (SAMHSA) requesting a hearing within 15 calendar days of the date of this Notice of Award to: [SAMHSAGrants@samhsa.hhs.gov](mailto:SAMHSAGrants@samhsa.hhs.gov). The request for a hearing must include a copy of this termination notice and a brief statement of why this decision should not be upheld.

Enclosure



## 1995 / Notices

The October 1994 notice required State Medicaid agencies to specify the reimbursement for the administration of the pediatric vaccines, and, if applicable, submit documentation of equal access, due by April 1 of each year, beginning April 1, 1995 (and which is effective July 1, 1995), as part of its obstetrical/pediatric payment rate State Medicaid plan amendment submittal. The notice also stated that if the State Medicaid agency elected to pay the maximum regional amount statewide, it need only specify this in its State plan amendment submittal (no additional documentation would have been needed). However, if the State Medicaid agency elected to vary the vaccine administration fee by geographic areas within the State, the State must list the administration fee, specify the methodology, and provide data for each geographic area where the maximum charges are not applied.

Additionally, the notice stated that,

because of the October 1, 1994 implementation date, the State plan amendment must have been submitted by December 31, 1994, and have been effective October 1, 1994. For the interim period of October 1, 1994,

through March 31, 1995, the notice provided that States may claim Federal matching funds for the costs of administration of vaccines to Medicaid-eligible children using the maximum charges or lower fees established on the basis of the guidance provided in the notice. For this interim State plan amendment, the State would have been required to submit the methodology to document access to immunizations but would not have been required to supply supporting data by which Medicaid beneficiary access to immunizations was assured. Beginning April 1, 1995, documentation of equal access to immunizations would have been required to be included as part of the yearly obstetrical/pediatric State plan amendment submittal in accordance with section 1926 of the Social Security Act.

## II. Rescission of Access Guidelines

As a result of our preliminary review of public comments on the October 1994 notice regarding the documentation of access requirements, we are rescinding the requirement that States use the access guidelines to provide assurances of equal access, pending further evaluation.

Following are some of the problems the commenters identified with the access requirements:

- Difficulties in obtaining current data on the number of children in the general population who have received

immunizations, despite the fact that States have data on the number of Medicaid children who have been immunized.

· Difficulties in obtaining private insurance information only on administration fee reimbursement. It is unlikely that private insurance companies will have a reimbursement rate that only covers the provider's costs for administration of the immunization.

· Difficulties in obtaining useable data currently. These problems stem from the fact that some States have not yet implemented the VFC Program for private providers.

· Difficulties in obtaining VFC Program reimbursement data. Due to the October 1, 1994, implementation date, most of the claims data that would be used to document access in April 1995 would reflect provider participation based on the current reimbursement system rather than reimbursement through the VFC program.

· Difficulties in obtaining reliable and meaningful measures of access. Commenters urged HCFA to develop meaningful measures of access for vaccines and for all other obstetrical and pediatric services.

As a result of the rescission of the access guidelines, States will not be required to provide a methodology or data to document that payment levels are sufficient to enlist enough providers so that immunizations under the State plan are available to Medicaid recipients at least to the extent that those services are available to the general population.

HCFA is forming a workgroup that will examine alternative measures of access to vaccines. After this examination is completed, we will evaluate the various suggestions of the group and formulate specific guidelines for States. These guidelines, along with responses to all other timely public comments on the October 3, 1994, notice, will be published in a final **Federal Register** document.

In accordance with the provisions of Executive Order 12866, this notice has been reviewed by the Office of Management and Budget.  
(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)

Dated: February 5, 1995.

**Bruce C. Vladeck,**

*Administrator, Health Care Financing Administration.*

Dated: March 2, 1995. **Donna E. Shalala, Secretary.**

[FR Doc. 95-8646 Filed 4-4-95; 4:13 am]

BILLING CODE 4120-01-P

# **Substance Abuse and Mental Health Services Administration**

## **Hearing Procedures for Certain Issues Related to the Substance Abuse Prevention and Treatment and the Community Mental Health Services Block Grant Programs**

**AGENCY:** Substance Abuse and Mental Health Services Administration (SAMHSA), HHS.

**ACTION:** Notice.

**SUMMARY:** SAMHSA administers two block grant programs: the Substance Abuse Prevention and Treatment (SAPT) Block Grant Program and the Community Mental Health Services (CMHS) Block Grant Program, both of which are authorized by Title XIX of the Public Health Service (PHS) Act.

Section 1945(e) of the PHS Act provides a State the opportunity for a hearing on certain noncompliance issues relating to the block grants prior to the Secretary taking final action against the State. To the extent that the hearing procedures contained in 45 CFR part 96, subpart E, 42 CFR part 50, subpart D, or 45 CFR part 16 do not apply to the noncompliance issue raised, the guidelines established below for hearings will apply to assist in providing a prompt and orderly hearing. When these procedures are applicable, the State will be provided a copy of the procedures with the notice of noncompliance.

These procedures are currently effective. However, we are inviting comments from the public on the procedures and such comments are to be sent to the information contact person identified immediately below within 60 days from the date of this publication. Comments received will be carefully considered and may cause the procedures to be revised.

FOR FURTHER INFORMATION CONTACT:

Richard Kopanda, Acting Executive Officer, SAMHSA, 5600 Fishers Lane, Room 12-105, Rockville, MD 20857,  
Telephone No. (301) 443-3875.

## Hearing Procedures

### *Sec. 1. Limitations on Issues Subject to Review During the Hearing*

The scope of review shall be limited to (a) the facts relevant to the noncompliance at issue, and (b) the necessary interpretations of those facts, any applicable regulations, and other relevant law. The legal validity of any regulations or statutes shall not be subject to review under these procedures.

**18138**      **Federal Register** / Vol. 60, No. 68 / Monday, April 10,

1995 / Notices

## *Sec. 2. The Request for a Hearing and the Hearing Official's Response*

(a) The State must submit a written notice to the Substance Abuse and Mental Health Services Administration (SAMHSA) requesting a hearing within 15 days of the date of the notice of noncompliance (which will set forth the reasons for the finding of noncompliance and be accompanied by a copy of these hearing procedures), unless some other time period is agreed to by the parties. The written notice must be sent to *(name and address of person identified in the letter to the State)*. The written notice requesting a hearing must include a copy of the notice of noncompliance and a brief statement of why the decision of noncompliance is wrong.

(b) Within ten days after receiving the request for review, SAMHSA will send an acknowledgment, identify the hearing official and advise the State of the next steps.

### *Sec. 3. The Procedures for Development of the Hearing File and Submission of Written Argument*

The procedures for development and the submission of written argument are as follows:

(a) *State's documents and briefs.* Within 30 days after receiving the acknowledgment of the request for a hearing, the State shall submit to the hearing official the following (with a copy of SAMHSA at the address listed in sec. 2):

(1) A written statement, not to exceed 20 double-spaced pages, explaining why the Government's determination of noncompliance is wrong.

(2) A review file containing the documents supporting the State's argument, tabbed and reasonably organized, and accompanied by an index identifying each document. Only essential documents should be submitted to the hearing official.

(b) *SAMHSA's Documents and Brief.* Within 30 days after receiving the State's submission, SAMHSA shall submit to the hearing official the following (with a copy to the State):

(1) A written statement, not exceeding 20 double-spaced pages in length, responding to the State's brief.

(2) A review file containing documents supporting the Government's decision of noncompliance, tabbed and reasonably organized, and accompanied by an index identifying each document. Only essential documents should be submitted to the hearing official.

(c) *The State's Reply Brief.* Within 15 days after receiving SAMHSA's

submission, the State may submit a short reply not to exceed 10 double-spaced pages (with a copy to SAMHSA at the address listed in sec. 2).

*Sec. 4. Opportunity for Oral Presentation*

(a) *Electing Oral Presentation.* Either the Federal Government or the State may request the opportunity for an oral presentation by submitting such a request in writing to the hearing official on or before the date the State is to submit its reply brief under section 3(c). The hearing official will grant the request if the official determines that a genuine and substantial issue of fact has been raised by the material submitted and that the consideration of the issue will benefit from an oral presentation. The hearing official may also upon his or her initiative request an oral presentation by the parties.

(b) *Preliminary Conference.* The hearing official may hold a prehearing conference (usually a telephone conference call) to consider any of the following: Simplifying and clarifying issues; stipulations and admissions; limitations on evidence and witnesses that will be presented at the hearing; time allotted for each witness and the hearing altogether; scheduling the hearing; and any other matter that will assist in the review process. Normally, this conference will be conducted informally. The hearing official may, at his or her discretion, produce a written document summarizing the conference or transcribe the conference, either of which will be made a part of the record.

(c) *Time and Place of Oral Presentation.* The hearing official will attempt to schedule the oral presentation, if granted, within 30 days of the date of the last reply brief. The oral presentation will be held at a time and place determined by the hearing official following consultation with the parties.

(d) *Conduct of the Oral Presentation.*

(1) *General.* The hearing official is responsible for conducting the oral presentation. The hearing official may be assisted by one or more of his or her employees or consultants in conducting the oral presentation and hearing the evidence. While the oral presentation will be kept as informal as possible, the hearing official may take all necessary steps to ensure an orderly proceeding.

(2) *Admission of Evidence.* The formal rules of evidence do not apply and the hearing official will generally admit all testimonial evidence unless it is clearly irrelevant, immaterial, or unduly repetitious. Each party may make an opening and closing statement, may present witnesses as agreed upon in the

prehearing conference or otherwise, and may question the opposing party's witnesses. Since the parties have ample opportunity to prepare the review file, a party may introduce additional documentation during the oral presentation only with the permission of the hearing official. The hearing official may question witnesses directly and take such other steps necessary to ensure an effective and efficient consideration of the evidence, including setting time limitations on direct and cross-examinations.

(3) *Transcripts*. The hearing official may have the oral presentation transcribed and, if so transcribed, the transcript shall be made a part of the record. Either party may request a copy of the transcript and the requesting party shall be responsible for paying for its copy of the transcript.

(e) *Obstruction of Justice or Making of False Statements*. Obstruction of justice or the making of false statements by a witness or any other person may be the basis for a criminal prosecution under 18 U.S.C. 1505, 1001, or related statutes or regulations.

(f) *Post-hearing Procedures*. At his or her discretion, the hearing official may require or permit the parties to submit post-hearing briefs or proposed findings and conclusions. Each party may submit comments on any major prejudicial errors in the transcript.

#### *Sec. 5. Burden of Proof*

In all cases, the Government bears the burden of proving by a preponderance of the evidence that the State has not complied with the relevant provisions of the law. However, if a State is required to expend or otherwise account for money in a particular manner, the State shall have the burden of producing audible records to show how the money was spent or otherwise accounted for or there will be a presumption created that the State did not expend or otherwise account for the funds correctly.

#### *Sec. 6. Ex Parte Communications*

Except for minor or routine administrative and procedural matters, a party shall not communicate with the hearing official or his or her staff on the matter without notice to the other party. All written communications to the hearing official shall simultaneously be submitted to the other party.

#### *Sec. 7. Transmission of Written Communications and Calculation of Deadlines*

(a) Because of the importance of a timely review, all written communications are to be transmitted by facsimile or overnight express mail.

**Federal Register / Vol. 60, No. 68 / Monday, April 10,**

---

1995 / Notices

The date of transmission (for facsimile) or the day following mailing (for overnight mail) will be considered the date of receipt.

(b) In counting days, include

Saturdays, Sundays, and holidays. However, if a due date falls on a Saturday, Sunday, or Federal holiday, then the due date is the next Federal working day.

#### *Sec. 8. Appointment of and Authority and Responsibilities of Hearing Official*

There shall only be one hearing official appointed to the case and that hearing official shall be appointed by the Administrator of SAMHSA. In addition to any other authority specified in these procedures, the hearing official shall have the authority to issue orders; examine witnesses; take all steps necessary for the conduct of an orderly

copy of the recommendation to the State and SAMHSA.

(b) *Date of Recommendation.* The hearing official will attempt to issue his or her recommendation within 15 days of the date of the oral presentation, the date on which the transcript is received, or the date of the last submission by either party, whichever is later. If there is no oral presentation, the recommendation will normally be issued within 15 days of the date of receipt of the last reply brief. Once issued, the hearing official will immediately communicate the recommendation to each party.

Dated: March 28, 1995. **Nelba Chavez, Administrator.**

[FR Doc. 95-8648 Filed 4-7-95; 8:45 am]

**BILLING CODE 4162-20-M**

telephone (202) 708–0050. This is not a toll-free number. Copies of the proposed forms and other available documents submitted to OMB may be obtained from Ms. Weaver.

**SUPPLEMENTARY INFORMATION:** The Department has submitted the proposals for the collections of information, as described below, to OMB for review, as required by the Paperwork Reduction act (44 U.S.C. Chapter 35).

The Notices list the following information: (1) The title of the information collection proposal; (2) the office of the agency to collect the information; (3) the description of the need for the information and its proposed use; (4) the agency form number, if applicable; (5) what members of the public will be affected by the proposal; (6) an estimate of the total hearing; rule on requests and motions; \_\_\_\_\_ grant extensions of time for good

number of hours needed to prepare the information submission including reasons; dismiss for failure to meet deadlines or other requirements; order the parties to submit relevant information or witnesses; remand a case for further action by the respondent; waive or modify these procedures in a specific case, usually with notice to the parties; reconsider a decision where a party promptly alleges a clear error of fact or law; and to take any other action necessary to resolve disputes in accordance with the objectives of these procedures.

*Sec. 9. Administrative Record*

The administrative record of review consists of the review file including the government's notice and the State's request for a hearing; other submissions by the parties; transcripts or other records of any meetings, conference calls, or oral presentation; evidence submitted at the oral presentation; and orders and other documents issued by the hearing official.

*Sec. 10. Written Recommendation*

(a) *Issuance of Recommendation.* The hearing official shall issue a written recommendation on the case which will be transmitted to the Secretary for a final decision. The written recommendation will set forth the reasons for the recommendation and describe the basis therefore in the record. The hearing official will send a

# **DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. N-95-3910]

## **Office of Administration; Notice of Submissions of Proposed Information Collections to OMB**

**AGENCY:** Office of Administration, HUD.

**ACTION:** Notices.

---

**SUMMARY:** The proposed information collection requirements described below have been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comment on the subject proposals.

**ADDRESSES:** Interested persons are invited to submit comment regarding these proposals. Comments must be received within thirty (30) days from the date of this Notice. Comments should refer to the proposal by name and should be sent to: Joseph F. Lackey, Jr., OMB Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:**

Kay F. Weaver, Reports Management Officer, Department of Housing and Urban Development,  
451 7th Street, Southwest, Washington, DC 20410,

number of respondents, frequency of response, and hours of response; (7) whether the proposal is new or an extension, reinstatement, or revision of an information collection requirement; and (8) the names and telephone numbers of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

**Authority:** Section 3507 of the Paperwork Reduction Act, 44 U.S.C. 3507; Section 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Dated: April 3, 1995.

**David S. Cristy,**

*Acting Director, Information Resources, Management Policy and Management Division.*

## Notice of Submission of Proposed Information Collection to OMB

*Proposal:* Financial Statement.

*Office:* Housing.

*Description Of The Need For The Information And Its Proposed Use:* This form is used by HUD in determining factors involved when compromises are reached with borrowers to lighten the financial burdens in given cases of Title I Home Improvement and Mobile Home Loans.

*Form Number:* HUD-56142.

*Respondents:* Individuals or Households.

*Reporting Burden:*

	Number of respondents	Frequency of response	Hours per response	=	Burden hours
HUD-56142 .....	1,258	1	1		1,258

In accordance with the regulatory requirements provided at 45 CFR 75.113 and Appendix XII to 45 CFR Part 75, recipients that have currently active Federal grants, cooperative agreements, and procurement contracts with cumulative total value greater than \$10,000,000 must report and maintain information in the System for Award Management (SAM) about civil, criminal, and administrative proceedings in connection with the award or performance of a Federal award that reached final disposition within the most recent five-year period. The recipient must also make semiannual disclosures regarding such proceedings. Proceedings information will be made publicly available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). Full reporting requirements and procedures are found in Appendix XII to 45 CFR Part 75.

### Staff Contacts:

Anthony Provenzano, Program Official  
**Email:** anthony.provenzano@samhsa.hhs.gov

Wendy Pang, Grants Specialist  
**Phone:** (240) 276-1419 **Email:** wendy.pang@samhsa.hhs.gov **Fax:** (240) 276-1430

# EXHIBIT L



**Department of Health and Human Services**  
Substance Abuse and Mental Health Services Administration  
Center for Substance Abuse Treatment

**Notice of Award**  
FAIN# B08TI084586  
**Federal Award Date**  
03/28/2025

**Recipient Information**

**1. Recipient Name**

THE COMMONWEALTH OF  
MASSACHUSETTS  
1 ASHBURTON PL FL 9  
BOSTON, MA 02108

**2. Congressional District of Recipient**

08

**3. Payment System Identifier (ID)**

1046002284B7

**4. Employer Identification Number (EIN)**

046002284

**5. Data Universal Numbering System (DUNS)**

073130932

**6. Recipient's Unique Entity Identifier**

FXV5JB3EPZ99

**7. Project Director or Principal Investigator**

Dierdre Calvert

deirdre.c.calvert@massmail.state.ma.us

**8. Authorized Official**

deirdre.c.calvert@massmail.state.ma.us

**Federal Agency Information**

**9. Awarding Agency Contact Information**

Wendy Pang  
Grants Specialist  
wendy.pang@samhsa.hhs.gov  
(240) 276-1419

**10. Program Official Contact Information**

Anthony Provenzano  
Program Official  
anthony.provenzano@samhsa.hhs.gov

**Federal Award Information**

**11. Award Number**

6B08TI084586-01M001

**12. Unique Federal Award Identification Number (FAIN)**

B08TI084586

**13. Statutory Authority**

Subparts II&III,B,Title XIX,PHS Act/45 CFR Part96

**14. Federal Award Project Title**

Substance Abuse Prevention & Treatment Block Grant

**15. Assistance Listing Number**

93.959

**16. Assistance Listing Program Title**

Block Grants for Prevention and Treatment of Substance Abuse

**17. Award Action Type**

Amendment

**18. Is the Award R&D?**

No

**Summary Federal Award Financial Information**

**19. Budget Period Start Date 09/01/2021 – End Date 03/24/2025**

**20. Total Amount of Federal Funds Obligated by this Action**

\$0

20 a. Direct Cost Amount

\$0

20 b. Indirect Cost Amount

\$0

**21. Authorized Carryover**

**22. Offset**

23. Total Amount of Federal Funds Obligated this budget period

\$0

24. Total Approved Cost Sharing or Matching, where applicable

\$0

25. Total Federal and Non-Federal Approved this Budget Period

\$0

**26. Project Period Start Date 09/01/2021 – End Date 03/24/2025**

27. Total Amount of the Federal Award including Approved Cost

\$1,120,601

Sharing or Matching this Project Period

**28. Authorized Treatment of Program Income**

Additional Costs

**29. Grants Management Officer - Signature**

Wendy Pang

**30. Remarks**

Acceptance of this award, including the "Terms and Conditions," is acknowledged by the recipient when funds are drawn down or otherwise requested from the grant payment system.



SABG

Department of Health and Human Services  
Substance Abuse and Mental Health Services Administration

Center for Substance Abuse Treatment

---

Notice of Award

**Issue Date:** 03/28/2025

**Award Number:** 6B08TI084586-01M001

**FAIN:** B08TI084586-01

**Contact Person:** Dierdre Calvert

**Program:** Substance Abuse Prevention & Treatment Block Grant

THE COMMONWEALTH OF MASSACHUSETTS  
1 ASHBURTON PL FL 9

BOSTON, MA 02108

**Award Period:** 09/01/2021 – 03/24/2025

Dear Grantee:

The Substance Abuse and Mental Health Services Administration hereby awards a grant in the amount of \$0 (see "Award Calculation" in Section I) to THE COMMONWEALTH OF MASSACHUSETTS in support of the above referenced project. This award is pursuant to the authority of Subparts II&III,B,Title XIX,PHS Act/45 CFR Part96 and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Acceptance of this award including the "Terms and Conditions" is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact your Grants Management Specialist and your Government Project Officer listed in your terms and conditions.

Sincerely yours,  
Wendy Pang  
Grants Management Officer  
Division of Grants Management  
wendy.pang@samhsa.hhs.gov  
See additional information below

---

**SECTION I – AWARD DATA – 6B08TI084586-01M001**

<b>FEDERAL FUNDS APPROVED:</b>	\$1,120,601
<b>AMOUNT OF THIS ACTION (FEDERAL SHARE):</b>	\$0
<b>CUMULATIVE AWARDS TO DATE:</b>	\$1,120,601
<b>UNAWARDED BALANCE OF CURRENT YEAR'S FUNDS:</b>	\$0

**Fiscal Information:**

<b>CFDA Number:</b>	93.959
<b>EIN:</b>	1046002284B7
<b>Document Number:</b>	21B3MASAPTC6
<b>Fiscal Year:</b>	2021

IC	CAN	01
TI	C96D212	\$0

PCC: SAPT / OC: 4115

---

**SECTION II – PAYMENT/HOTLINE INFORMATION – 6B08TI084586-01M001**

Payments under this award will be made available through the HHS Payment Management System (PMS). PMS is a centralized grants payment and cash management system, operated by the HHS Program Support Center (PSC), Division of Payment Management (DPM). Inquiries regarding payment should be directed to: The Division of Payment Management System, PO Box 6021, Rockville, MD 20852, Help Desk Support – Telephone Number: 1-877-614-5533.

The HHS Inspector General maintains a toll-free hotline for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. The telephone number is: 1-800-HHS-TIPS (1-800-447-8477). The mailing address is: Office of Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington, DC 20201.

---

**SECTION III – TERMS AND CONDITIONS – 6B08TI084586-01M001****REMARKS****Termination of CRSSA & ARP Awards - Non-Discretionary****Block Grant Notice of Award (NoA) Terms for Terminating COVID-19 Awards (CRSSA and ARP)**

During the COVID-19 pandemic, the Substance Abuse and Mental Health Services Administration (SAMHSA) awarded several pandemic-related grants funded by the [Coronavirus Response and Relief Supplemental Appropriations Act](#) (CRRSA) which provided funds to respond to the coronavirus outbreak and the [American Rescue Plan](#) (ARP) Act which provided additional relief to address the continued impact of COVID-19.

The termination of this award is for cause. The block grant provisions at [42 U.S.C. 300x-55](#) permit termination if the state has materially failed to comply with the agreements or other conditions required for the receipt of a grant under the program involved. The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of this award is effective as of 11:59PM EDT, March 24, 2025.

**REPORTING REQUIREMENTS**

In accordance with [45 CFR 96.30 \(4\)](#), block grant award recipients are required to provide a Financial Status Report (FFR) no later than 90 calendar days after March 24, 2025. Recipients must liquidate all obligations incurred under an award no later than 90 calendar days after March 24, 2025, which also coincides with the due date for submission of the FINAL SF-425, Federal Financial Report (FFR). Reimbursements after termination are allowable if the reimbursements result from obligations which were properly incurred on or before March 24, 2025.

Recipients are expected to cease all activities immediately and complete the reconciliation/liquidation process no later than 90 calendar days after the termination effective date. **SAMHSA does not approve extensions to the post-award 90 calendar day reconciliation/liquidation period.**

#### RESTRICTION ON THE DRAWDOWN OF FUNDS

The related Payment Management System account has been restricted from drawing down funding which now requires prior approval from SAMHSA.

#### PAYMENT REQUEST

Reimbursements after termination are allowable for obligations that were properly incurred on or before the effective date of the termination.

To request reimbursement, your organization must email your cognizant Grants Management Specialists (see contact information below) stating the amount requested and certifying in the email that all costs claimed for reimbursement are allowable, allocable, reasonable, and necessary and were incurred on or before the effective date of the termination, in accordance with 45 CFR 96.30 .

All requests for reimbursement must be submitted **no later than 90 calendar days from the effective date of the termination** to [wendy.pang@samhsa.hhs.gov](mailto:wendy.pang@samhsa.hhs.gov), [katrina.morgan@samhsa.hhs.gov](mailto:katrina.morgan@samhsa.hhs.gov), and [SAMHSAGrants@samhsa.hhs.gov](mailto:SAMHSAGrants@samhsa.hhs.gov). If approved, a follow-up email will be sent to you to submit your payment request to PMS only requesting the amount approved in SAMHSA's email response. Once you submit your payment request to PMS it will be reviewed for accuracy and either approved for drawdown or returned. SAMHSA does not approve extensions to the 90-calendar day post-award reconciliation/liquidation period.

As a reminder, PMS introduced a new mandatory field in the payment request screen at the subaccount level. This field, limited to 1,000 characters, will capture a justification from the grant recipient explaining the purpose of the payment request.

#### **Opportunity for Hearing:**

Block grant recipients may request a hearing to dispute this decision by submitting a written notice to the Substance Abuse and Mental Health Services Administration (SAMHSA) requesting a hearing within 15 calendar days of the date of this Notice of Award to: [SAMHSAGrants@samhsa.hhs.gov](mailto:SAMHSAGrants@samhsa.hhs.gov). The request for a hearing must include a copy of this termination notice and a brief statement of why this decision should not be upheld.

Enclosure



## 1995 / Notices

The October 1994 notice required State Medicaid agencies to specify the reimbursement for the administration of the pediatric vaccines, and, if applicable, submit documentation of equal access, due by April 1 of each year, beginning April 1, 1995 (and which is effective July 1, 1995), as part of its obstetrical/pediatric payment rate State Medicaid plan amendment submittal. The notice also stated that if the State Medicaid agency elected to pay the maximum regional amount statewide, it need only specify this in its State plan amendment submittal (no additional documentation would have been needed). However, if the State Medicaid agency elected to vary the vaccine administration fee by geographic areas within the State, the State must list the administration fee, specify the methodology, and provide data for each geographic area where the maximum charges are not applied.

Additionally, the notice stated that,

because of the October 1, 1994 implementation date, the State plan amendment must have been submitted by December 31, 1994, and have been effective October 1, 1994. For the interim period of October 1, 1994,

through March 31, 1995, the notice provided that States may claim Federal matching funds for the costs of administration of vaccines to Medicaid-eligible children using the maximum charges or lower fees established on the basis of the guidance provided in the notice. For this interim State plan amendment, the State would have been required to submit the methodology to document access to immunizations but would not have been required to supply supporting data by which Medicaid beneficiary access to immunizations was assured. Beginning April 1, 1995, documentation of equal access to immunizations would have been required to be included as part of the yearly obstetrical/pediatric State plan amendment submittal in accordance with section 1926 of the Social Security Act.

## II. Rescission of Access Guidelines

As a result of our preliminary review of public comments on the October 1994 notice regarding the documentation of access requirements, we are rescinding the requirement that States use the access guidelines to provide assurances of equal access, pending further evaluation.

Following are some of the problems the commenters identified with the access requirements:

- Difficulties in obtaining current data on the number of children in the general population who have received

immunizations, despite the fact that States have data on the number of Medicaid children who have been immunized.

· Difficulties in obtaining private insurance information only on administration fee reimbursement. It is unlikely that private insurance companies will have a reimbursement rate that only covers the provider's costs for administration of the immunization.

· Difficulties in obtaining useable data currently. These problems stem from the fact that some States have not yet implemented the VFC Program for private providers.

· Difficulties in obtaining VFC Program reimbursement data. Due to the October 1, 1994, implementation date, most of the claims data that would be used to document access in April 1995 would reflect provider participation based on the current reimbursement system rather than reimbursement through the VFC program.

· Difficulties in obtaining reliable and meaningful measures of access. Commenters urged HCFA to develop meaningful measures of access for vaccines and for all other obstetrical and pediatric services.

As a result of the rescission of the access guidelines, States will not be required to provide a methodology or data to document that payment levels are sufficient to enlist enough providers so that immunizations under the State plan are available to Medicaid recipients at least to the extent that those services are available to the general population.

HCFA is forming a workgroup that will examine alternative measures of access to vaccines. After this examination is completed, we will evaluate the various suggestions of the group and formulate specific guidelines for States. These guidelines, along with responses to all other timely public comments on the October 3, 1994, notice, will be published in a final **Federal Register** document.

In accordance with the provisions of Executive Order 12866, this notice has been reviewed by the Office of Management and Budget.  
(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)

Dated: February 5, 1995.

**Bruce C. Vladeck,**

*Administrator, Health Care Financing Administration.*

Dated: March 2, 1995. **Donna E. Shalala, Secretary.**

[FR Doc. 95-8646 Filed 4-4-95; 4:13 am]

BILLING CODE 4120-01-P

# **Substance Abuse and Mental Health Services Administration**

## **Hearing Procedures for Certain Issues Related to the Substance Abuse Prevention and Treatment and the Community Mental Health Services Block Grant Programs**

**AGENCY:** Substance Abuse and Mental Health Services Administration (SAMHSA), HHS.

**ACTION:** Notice.

**SUMMARY:** SAMHSA administers two block grant programs: the Substance Abuse Prevention and Treatment (SAPT) Block Grant Program and the Community Mental Health Services (CMHS) Block Grant Program, both of which are authorized by Title XIX of the Public Health Service (PHS) Act.

Section 1945(e) of the PHS Act provides a State the opportunity for a hearing on certain noncompliance issues relating to the block grants prior to the Secretary taking final action against the State. To the extent that the hearing procedures contained in 45 CFR part 96, subpart E, 42 CFR part 50, subpart D, or 45 CFR part 16 do not apply to the noncompliance issue raised, the guidelines established below for hearings will apply to assist in providing a prompt and orderly hearing. When these procedures are applicable, the State will be provided a copy of the procedures with the notice of noncompliance.

These procedures are currently effective. However, we are inviting comments from the public on the procedures and such comments are to be sent to the information contact person identified immediately below within 60 days from the date of this publication. Comments received will be carefully considered and may cause the procedures to be revised.

FOR FURTHER INFORMATION CONTACT:

Richard Kopanda, Acting Executive Officer, SAMHSA, 5600 Fishers Lane, Room 12-105, Rockville, MD 20857,  
Telephone No. (301) 443-3875.

## Hearing Procedures

### *Sec. 1. Limitations on Issues Subject to Review During the Hearing*

The scope of review shall be limited to (a) the facts relevant to the noncompliance at issue, and (b) the necessary interpretations of those facts, any applicable regulations, and other relevant law. The legal validity of any regulations or statutes shall not be subject to review under these procedures.

**18138** **Federal Register / Vol. 60, No. 68 / Monday, April 10,**

1995 / Notices

## *Sec. 2. The Request for a Hearing and the Hearing Official's Response*

(a) The State must submit a written notice to the Substance Abuse and Mental Health Services Administration (SAMHSA) requesting a hearing within 15 days of the date of the notice of noncompliance (which will set forth the reasons for the finding of noncompliance and be accompanied by a copy of these hearing procedures), unless some other time period is agreed to by the parties. The written notice must be sent to *(name and address of person identified in the letter to the State)*. The written notice requesting a hearing must include a copy of the notice of noncompliance and a brief statement of why the decision of noncompliance is wrong.

(b) Within ten days after receiving the request for review, SAMHSA will send an acknowledgment, identify the hearing official and advise the State of the next steps.

### *Sec. 3. The Procedures for Development of the Hearing File and Submission of Written Argument*

The procedures for development and the submission of written argument are as follows:

(a) *State's documents and briefs.* Within 30 days after receiving the acknowledgment of the request for a hearing, the State shall submit to the hearing official the following (with a copy of SAMHSA at the address listed in sec. 2):

(1) A written statement, not to exceed 20 double-spaced pages, explaining why the Government's determination of noncompliance is wrong.

(2) A review file containing the documents supporting the State's argument, tabbed and reasonably organized, and accompanied by an index identifying each document. Only essential documents should be submitted to the hearing official.

(b) *SAMHSA's Documents and Brief.* Within 30 days after receiving the State's submission, SAMHSA shall submit to the hearing official the following (with a copy to the State):

(1) A written statement, not exceeding 20 double-spaced pages in length, responding to the State's brief.

(2) A review file containing documents supporting the Government's decision of noncompliance, tabbed and reasonably organized, and accompanied by an index identifying each document. Only essential documents should be submitted to the hearing official.

(c) *The State's Reply Brief.* Within 15 days after receiving SAMHSA's

submission, the State may submit a short reply not to exceed 10 double-spaced pages (with a copy to SAMHSA at the address listed in sec. 2).

*Sec. 4. Opportunity for Oral Presentation*

(a) *Electing Oral Presentation.* Either the Federal Government or the State may request the opportunity for an oral presentation by submitting such a request in writing to the hearing official on or before the date the State is to submit its reply brief under section 3(c). The hearing official will grant the request if the official determines that a genuine and substantial issue of fact has been raised by the material submitted and that the consideration of the issue will benefit from an oral presentation. The hearing official may also upon his or her initiative request an oral presentation by the parties.

(b) *Preliminary Conference.* The hearing official may hold a prehearing conference (usually a telephone conference call) to consider any of the following: Simplifying and clarifying issues; stipulations and admissions; limitations on evidence and witnesses that will be presented at the hearing; time allotted for each witness and the hearing altogether; scheduling the hearing; and any other matter that will assist in the review process. Normally, this conference will be conducted informally. The hearing official may, at his or her discretion, produce a written document summarizing the conference or transcribe the conference, either of which will be made a part of the record.

(c) *Time and Place of Oral Presentation.* The hearing official will attempt to schedule the oral presentation, if granted, within 30 days of the date of the last reply brief. The oral presentation will be held at a time and place determined by the hearing official following consultation with the parties.

(d) *Conduct of the Oral Presentation.*

(1) *General.* The hearing official is responsible for conducting the oral presentation. The hearing official may be assisted by one or more of his or her employees or consultants in conducting the oral presentation and hearing the evidence. While the oral presentation will be kept as informal as possible, the hearing official may take all necessary steps to ensure an orderly proceeding.

(2) *Admission of Evidence.* The formal rules of evidence do not apply and the hearing official will generally admit all testimonial evidence unless it is clearly irrelevant, immaterial, or unduly repetitious. Each party may make an opening and closing statement, may present witnesses as agreed upon in the

prehearing conference or otherwise, and may question the opposing party's witnesses. Since the parties have ample opportunity to prepare the review file, a party may introduce additional documentation during the oral presentation only with the permission of the hearing official. The hearing official may question witnesses directly and take such other steps necessary to ensure an effective and efficient consideration of the evidence, including setting time limitations on direct and cross-examinations.

(3) *Transcripts*. The hearing official may have the oral presentation transcribed and, if so transcribed, the transcript shall be made a part of the record. Either party may request a copy of the transcript and the requesting party shall be responsible for paying for its copy of the transcript.

(e) *Obstruction of Justice or Making of False Statements*. Obstruction of justice or the making of false statements by a witness or any other person may be the basis for a criminal prosecution under 18 U.S.C. 1505, 1001, or related statutes or regulations.

(f) *Post-hearing Procedures*. At his or her discretion, the hearing official may require or permit the parties to submit post-hearing briefs or proposed findings and conclusions. Each party may submit comments on any major prejudicial errors in the transcript.

#### *Sec. 5. Burden of Proof*

In all cases, the Government bears the burden of proving by a preponderance of the evidence that the State has not complied with the relevant provisions of the law. However, if a State is required to expend or otherwise account for money in a particular manner, the State shall have the burden of producing audible records to show how the money was spent or otherwise accounted for or there will be a presumption created that the State did not expend or otherwise account for the funds correctly.

#### *Sec. 6. Ex Parte Communications*

Except for minor or routine administrative and procedural matters, a party shall not communicate with the hearing official or his or her staff on the matter without notice to the other party. All written communications to the hearing official shall simultaneously be submitted to the other party.

#### *Sec. 7. Transmission of Written Communications and Calculation of Deadlines*

(a) Because of the importance of a timely review, all written communications are to be transmitted by facsimile or overnight express mail.

**Federal Register / Vol. 60, No. 68 / Monday, April 10,**

---

1995 / Notices

The date of transmission (for facsimile) or the day following mailing (for overnight mail) will be considered the date of receipt.

(b) In counting days, include

Saturdays, Sundays, and holidays. However, if a due date falls on a Saturday, Sunday, or Federal holiday, then the due date is the next Federal working day.

#### *Sec. 8. Appointment of and Authority and Responsibilities of Hearing Official*

There shall only be one hearing official appointed to the case and that hearing official shall be appointed by the Administrator of SAMHSA. In addition to any other authority specified in these procedures, the hearing official shall have the authority to issue orders; examine witnesses; take all steps necessary for the conduct of an orderly

copy of the recommendation to the State and SAMHSA.

(b) *Date of Recommendation.* The hearing official will attempt to issue his or her recommendation within 15 days of the date of the oral presentation, the date on which the transcript is received, or the date of the last submission by either party, whichever is later. If there is no oral presentation, the recommendation will normally be issued within 15 days of the date of receipt of the last reply brief. Once issued, the hearing official will immediately communicate the recommendation to each party.

Dated: March 28, 1995. **Nelba Chavez, Administrator.**

[FR Doc. 95-8648 Filed 4-7-95; 8:45 am]

**BILLING CODE 4162-20-M**

telephone (202) 708–0050. This is not a toll-free number. Copies of the proposed forms and other available documents submitted to OMB may be obtained from Ms. Weaver.

**SUPPLEMENTARY INFORMATION:** The Department has submitted the proposals for the collections of information, as described below, to OMB for review, as required by the Paperwork Reduction act (44 U.S.C. Chapter 35).

The Notices list the following information: (1) The title of the information collection proposal; (2) the office of the agency to collect the information; (3) the description of the need for the information and its proposed use; (4) the agency form number, if applicable; (5) what members of the public will be affected by the proposal; (6) an estimate of the total hearing; rule on requests and motions; \_\_\_\_\_ grant extensions of time for good

number of hours needed to prepare the information submission including reasons; dismiss for failure to meet deadlines or other requirements; order the parties to submit relevant information or witnesses; remand a case for further action by the respondent; waive or modify these procedures in a specific case, usually with notice to the parties; reconsider a decision where a party promptly alleges a clear error of fact or law; and to take any other action necessary to resolve disputes in accordance with the objectives of these procedures.

*Sec. 9. Administrative Record*

The administrative record of review consists of the review file including the government's notice and the State's request for a hearing; other submissions by the parties; transcripts or other records of any meetings, conference calls, or oral presentation; evidence submitted at the oral presentation; and orders and other documents issued by the hearing official.

*Sec. 10. Written Recommendation*

(a) *Issuance of Recommendation.* The hearing official shall issue a written recommendation on the case which will be transmitted to the Secretary for a final decision. The written recommendation will set forth the reasons for the recommendation and describe the basis therefore in the record. The hearing official will send a

# **DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. N-95-3910]

## **Office of Administration; Notice of Submissions of Proposed Information Collections to OMB**

**AGENCY:** Office of Administration, HUD.

**ACTION:** Notices.

---

**SUMMARY:** The proposed information collection requirements described below have been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comment on the subject proposals.

**ADDRESSES:** Interested persons are invited to submit comment regarding these proposals. Comments must be received within thirty (30) days from the date of this Notice. Comments should refer to the proposal by name and should be sent to: Joseph F. Lackey, Jr., OMB Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:**

Kay F. Weaver, Reports Management Officer, Department of Housing and Urban Development,  
451 7th Street, Southwest, Washington, DC 20410,

number of respondents, frequency of response, and hours of response; (7) whether the proposal is new or an extension, reinstatement, or revision of an information collection requirement; and (8) the names and telephone numbers of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

**Authority:** Section 3507 of the Paperwork Reduction Act, 44 U.S.C. 3507; Section 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Dated: April 3, 1995.

**David S. Cristy,**

*Acting Director, Information Resources, Management Policy and Management Division.*

## Notice of Submission of Proposed Information Collection to OMB

*Proposal:* Financial Statement.

*Office:* Housing.

*Description Of The Need For The Information And Its Proposed Use:* This form is used by HUD in determining factors involved when compromises are reached with borrowers to lighten the financial burdens in given cases of Title I Home Improvement and Mobile Home Loans.

*Form Number:* HUD-56142.

*Respondents:* Individuals or Households.

*Reporting Burden:*

	Number of respondents	Frequency of response	Hours per response	=	Burden hours
HUD-56142 .....	1,258	1	1		1,258

In accordance with the regulatory requirements provided at 45 CFR 75.113 and Appendix XII to 45 CFR Part 75, recipients that have currently active Federal grants, cooperative agreements, and procurement contracts with cumulative total value greater than \$10,000,000 must report and maintain information in the System for Award Management (SAM) about civil, criminal, and administrative proceedings in connection with the award or performance of a Federal award that reached final disposition within the most recent five-year period. The recipient must also make semiannual disclosures regarding such proceedings. Proceedings information will be made publicly available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). Full reporting requirements and procedures are found in Appendix XII to 45 CFR Part 75.

### Staff Contacts:

Anthony Provenzano, Program Official  
**Email:** anthony.provenzano@samhsa.hhs.gov

Wendy Pang, Grants Specialist  
**Phone:** (240) 276-1419 **Email:** wendy.pang@samhsa.hhs.gov **Fax:** (240) 276-1430